



**UNIVERSIDADE ESTADUAL DE CAMPINAS
INSTITUTO DE FILOSOFIA E CIÊNCIAS HUMANAS**

CLARISSA CORREA NETO RIBEIRO

**OVERLAPPING ORGANIZATIONS, POLITICAL CRISES, AND COEXISTENCE:
COMPLEMENTARITY AND FRAGMENTATION IN SOUTH AMERICAN AND
AFRICAN REGIONALISMS**

**SOBREPOSIÇÕES ORGANIZACIONAIS, CRISES POLÍTICAS E COEXISTÊNCIA:
COMPLEMENTARIDADE E FRAGMENTAÇÃO NOS REGIONALISMOS SUL-
AMERICANO E AFRICANO**

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AMERICANO E AFRICANO**

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Supervisor/Orientador: Prof. Dr. Shiguenoli Miyamoto

Co-supervisor/Coorientador: Profa. Dra. Karina Lilia Pasquariello Mariano

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- ORCID do autor: <https://orcid.org/0000-0002-7653-7635>

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Prof. Dr. Detlef Nolte

Prof. Dr. Haroldo Ramanzini Junior

Profa. Dra. Regiane Nitsch Bressan

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The real tragedy of our postcolonial world is not that the majority of people had no say in whether or not they wanted this new world; rather, it is that the majority have not been given the tools to *negotiate* this new world. (ADICHIE, C. N., 2007, p. 129, highlights by the author).

ABSTRACT

The present research has the occurrence of overlapping regionalisms as its object, with a comparative cut for South America and Africa. The purpose of this thesis is to study types of institutional interaction and to analyze the effects of overlapping in the coexistence between regional processes in order to understand their dynamics in the above-mentioned regions. The observation of organizational behaviors and interaction is made through cases of political crises on the selected regions, as we assume that the interactions between overlapping regional organizations in those situations would tend to be more fragmenting than complementary as they go beyond the traditional membership-mandate relationship. Therefore, we also analyze overlapping performances and seek to understand how regional organizations will behave and interact while dealing with political crises, which constitute critical junctures, in accordance with the theoretical and methodological framework of the thesis. This work aims to produce a broad qualitative analysis of the given regions by considering applicable cases that cover all of the sub-regions and hence to contribute to the field of comparative regionalism by providing generalization and institutional learnings which are not derived by a given model of regionalism, but nonetheless based on a cross regional approach. The data is processed through document analysis and further systemized via the construction of presence and absence exercises, consisting on testing of hypotheses and dyadic relationships.

Keywords: regionalism; overlapping organizations; regional integration; South America; Africa; political crises; democracy protection.

RESUMO

A presente pesquisa tem por objeto a ocorrência de regionalismos sobrepostos, com recorte comparativo para a América do Sul e a África. O propósito desta tese é estudar tipos de interação institucional e analisar os efeitos da sobreposição na coexistência entre processos regionais, de modo a entender sua dinâmica nas regiões supramencionadas. A observação de comportamentos organizacionais e interações é feita através de casos de crises políticas nas regiões selecionadas, uma vez que se assume que ditas interações entre organizações regionais sobrepostas tenderiam a produzir efeitos mais fragmentantes do que complementares para o espaço, uma vez que as mesmas ultrapassam a tradicional relação entre filiação e mandato. Portanto, se analisa também a sobreposição de performances enquanto se procura compreender como as organizações regionais irão se comportar e interagir ao lidar com crises políticas, que constituem conjunturas críticas, de acordo com o referencial teórico-metodológico da pesquisa. A tese pretende produzir uma análise qualitativa de grande dimensão das regiões dadas, considerando casos aplicáveis que abarquem todas as sub-regiões e, assim, contribuir para o campo do regionalismo comparado, fornecendo generalizações e aprendizagens institucionais que não são derivadas de um dado modelo de regionalismo, mas, baseadas em uma abordagem regional cruzada. Os dados são processados através da análise de documentos e posteriormente sistematizados através da construção de exercícios de presença e ausência, consistindo no teste de hipóteses e relações diádicas.

Palavras-chave: regionalismo; organizações sobrepostas; integração regional; América do Sul; África; crises políticas; proteção democrática.

RESUMEN

La presente investigación tiene como objeto la superposición de regionalismos como su objetivo, con un corte comparativo para América del Sur y África. El objetivo de esta tesis es estudiar los tipos de interacción institucional y analizar los efectos de la superposición en la coexistencia entre procesos regionales para comprender su dinámica en las regiones mencionadas. El objetivo de esta tesis es estudiar los tipos de interacción institucional y analizar los efectos de la superposición en la coexistencia entre procesos regionales para comprender su dinámica en las regiones mencionadas. La observación de los comportamientos e interacciones organizacionales se realiza a través de casos de crisis políticas en las regiones seleccionadas, ya que suponemos que las interacciones entre las organizaciones regionales superpuestas en esas situaciones tenderían a ser más fragmentarias que complementarias, ya que van más allá de la relación tradicional de membresía-mandato. Por lo tanto, también analizamos desempeños superpuestos y buscamos comprender cómo se comportarán e interactuarán las organizaciones regionales al enfrentar crisis políticas, que constituyen coyunturas críticas, de acuerdo con el marco teórico y metodológico de la tesis. La tesis tiene como objetivo producir un análisis cualitativo amplio de las regiones dadas al considerar los casos aplicables que cubren todas las subregiones y, por lo tanto, contribuir al campo del regionalismo comparativo al proporcionar generalizaciones y aprendizajes institucionales que no se derivan de un determinado modelo de regionalismo, pero basado en un enfoque regional cruzado. Los datos se procesan a través del análisis de documentos y se sistematizan aún más mediante la construcción de ejercicios de presencia y ausencia, que consisten en la prueba de hipótesis y relaciones diádicas.

Palabras clave: regionalismo; organizaciones superpuestas; integración regional; Sudamérica; África; crisis políticas; protección democrática.

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LIST OF ACRONYMS

AEC	African Economic Community
AFISMA	African-led International Support Mission to Mali
ALBA	Bolivarian Alliance for the Peoples of Our America
AMIB	African Union Mission in Burundi
AMU	Arab Maghreb Union
APSA	African Peace and Security Architecture
AQIM	al-Qaeda in the Islamic Maghreb
AU	African Union
CAN	Andean Community
CELAC	Community of Latin American and Caribbean States
CEMAC	Central African Economic and Monetary Community
CEN-SAD	Community of Sahel–Saharan States
CEPGL	Economic Community of Great Lakes Countries
CNDD-FDD	Conseil National pour la Défense de la Démocratie et Forces de Défense de la Démocratie
CNRDRE	Comité National pour le Redressement de la Démocratie et de la Restauration de l'État
COMESA	Common Market for Eastern and Southern Africa
COPAX	Council for Peace and Security in Central Africa
EAC	East African Community
EASBRICOM	East Africa Brigade Coordination Mechanism
ECCAS	Economic Community of Central African States
ECLAC (CEPAL)	Economic Commission for Latin America and the Caribbean
ECOMIG	ECOWAS Military Intervention in The Gambia

ECOWAS	Economic Community of West African States
FOMAC	Force Multinationale de l'Afrique Centrale
FTAA (ALCA)	Free Trade Area of the Americas
HAT	Hight Authority of the Transition
IADC	Inter-American Democratic Charter
ICG-CAR	International Contact Group - Central African Republic
ICG-M	International Contact Group - Madagascar
ICGLR	International Conference on the Great Lakes Region
IGAD	Intergovernmental Authority on Development
IOC	Indian Ocean Commission
JMT-M	Joint Mediation Team - Madagascar
LAFTA (ALALC)	Latin American Free Trade Association
LAIA (ALADI)	Latin American Integration Association
MAPROBU	African Prevention and Protection Mission
MARAC	Central African Early Warning System
MCPMR	OAU Mechanism for Conflict Prevention, Management and Resolution
MDP	Mechanism for Democracy Protection
MERCOSUR	Southern Common Market
MINUSCA	United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic
MISCA	African-led International Support Mission for the Central African Republic
MNLA	Mouvement National de Libération de l'Azawad

MoU	Memorandum of Understanding on Cooperation in the area of Peace and Security between the African Union, the Regional Economic Communities and the Coordinating Mechanisms of the Regional Standby Brigades of Eastern Africa and Northern Africa
MRU	Mano River Union
MUJAO	Mouvement pour l'Unité et le Jihad en Afrique de l'Ouest
NAFTA	North America Free Trade Agreement
NARC	North Africa Regional Capability
OAS (OEA)	Organization of American States
OAU	Organization of African Unity
OIF	International Organization of Francophonie
PSC	Peace and Security Council
RECs	Regional Economic Communities
RISDP	Regional Indicative Strategic Development Plan
RMs	Regional Mechanisms
RO	Regional Organization
SACU	Southern African Customs Union
SADC	Southern African Development Community
SADCC	Southern African Development Coordination Conference
SAFTA (ALCSA)	South American Free Trade Area
SIPO	Strategic Indicative Plan for the Organ
UCGs	Unconstitutional Changes of Government
UDEAC	Central African Customs and Economic Union
UN	United Nations
UNASUR	Union of South American Nations

UNECA

United Nations Economic Commission for Africa

WAEMU

West African Economic and Monetary Union

SUMMARY

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1 INTRODUCTION

“*The world of regions is also a world of regionalisms*” (BACH, 2016). By adapting Katzenstein’s (2005) comprehension of contemporary world dynamics, Bach affirms the essentiality of understanding the particularities of regional logics in order to navigate the international system. Even though the concept of *region* is susceptible to interpretation and can change over time, what is interesting to this research is the formal relationship between the established regional organizations within those given spaces, as we understand regions as political constructions (POWERS; GOERTZ, 2011).

Bach’s words are particularly relevant when we consider that in the last few decades, different kinds of regional projects have been developed in all different regions of the world, creating multilayered interactions within projects, and an “*alphabet soup*” of acronyms. Therefore, the understanding of the multiplicity, allied to the simultaneity in the coexistence of regional institutions, which many times are overlapping, generates questions about the effects of this coexistence for the functioning of the regions, as well as regarding their cohesion or fragmentation.

The comprehension of a segmented proliferation of institutions in South America and its different orientations and purposes guided the author’s master’s studies, in which we institutionally analyzed the fragmentation of integration at the regional organizations that Brazil participated, namely the Southern Common Market (MERCOSUR), the Union of South American Nations (UNASUR) and the Community of Latin American and Caribbean States (CELAC), departing from their policy agendas. The studies carried out demonstrated the existence not only of an institutional overlap between different blocs, that is, of multiple regional initiatives, but also that the different moments of regionalism, also known as *waves*, had produced an intra-bloc sectorial segmentation derived from the institutional broadening of existing initiatives and the expansion of mandates (RIBEIRO, 2016)¹.

Consequently, the understanding of simultaneity in regional overlaps in other areas of the world raised questions about how organizations behave and interplay in a complex regional scenario, and their role in generating complementarity or fragmentation. The present study proposes, therefore, to discuss how regional organizations will act and interact,

¹ In some cases, discussed in the master’s dissertation, it was even perceived that the intra-bloc proliferation of institutions causes effects such as the multiplication of instances with the same sectorial thematic, which generates a greater internal need for coordination efforts (RIBEIRO, 2016).

considering the effects of the multiplicity and overlap of organizational initiatives in the selected regions of the world.

For this doctoral thesis, the choice of cases to be analyzed was given in a way to cover two different regions of the world, Africa and South America, in order to enable generalizations and comparisons. The choice was made to avoid the dilemma of treating a single experience as a reference ($n = 1$) (DE LOMBAERDE et al., 2010), valuing the individual experiences of each region, following the methodology of comparative regionalism, as we will further discuss. Accordingly, we proposed to continue the studies initiated in the master's degree regarding South America, and to add another region in the Global South to the analysis as it also avoids an asymmetric comparison with the European experience, by representing the developing world as a fruitful area for the development of regional blocs. Therefore, considering the expansion of the object of analysis, with the addition of another region and the previous inexperience with different conjunctures, we departed from an inductive research to understand regional scenarios and to choose the scope of analysis.

1.1 Research question and central argument

The studied phenomena of *overlapping regionalisms* result from the fact that multiple regional organizations (ROs) coexist in the same space and it occurs when states are affiliated with several of these initiatives (overlap of memberships), which in turn have similar objectives in their policies (overlapping mandates). While in the African case there is a shortage of literature on the term, with more attention given to regime complexity (BROSIG, 2011), in Latin America's case, overlapping regionalism has been widely discussed by experts in recent years (RIGGIROZZI; TUSSIE, 2012; MALAMUD; GARDINI, 2012; MALAMUD, 2013; WEIFFEN; WEHNER; NOLTE, 2013; GÓMEZ-MERA, 2015; WEIFFEN, 2017; NOLTE, 2014, 2016, 2018). In general, the impressions tend to imply that the existing organizational overlap would be less negative than expected, or more of a “theoretical problem than a practical challenge” (NOLTE, 2018, p.129).

More recently, however, the literature has also admitted the possibility of overlapping in action, or the ROs' *actual* performance, which constantly engage in policies which are not

explicit to their obvious mandate² (NOLTE; WEIFFEN 2018). This was also one of the conclusions obtained during the master's studies concerning the *de facto* overlapping, not just *de jure*. Even though results also showed initially greater opportunities of cooperation than of competition between ROs in the cases analyzed, they have also raised concerns about their segmentation and friction.

On this point, the literature has been quite fruitful in recent years in providing possible effects caused by overlapping organizations, but there are still scarce empirical analyses of its actual effects (PANKE, STAPEL, 2016), mainly if we consider that throughout their existence, these organizations usually go through a process of expanding and refining its action in order to achieve the goals of its member states and remain significant for the region they belong. The effects produced by institutional enlargements on the broadening of the scope of action of an organization results then on its original mandate not always comprising the totality of its sectoral performance. Thus, the idea that the plurality of blocs with overlapping mandates and members would already have potential for fragmentation is then reinforced by the realization that, through overlapping in action, regional policy coherence could be further reduced.

It should be noted, nonetheless, that when selecting and analyzing the cases, the coexistence of multiple overlapping projects *per se* is not considered as negative but as an element for the discussion the effects caused by the interplay between these institutions for the coexistence and the construction of regional cohesion. In fact, according to Nolte (2014; 2016; 2018), a scenario of overlap could potentially generate effects for regional governance that would range from indifference and non-interaction to increased friction, competition and consequent regional fragmentation, to potential strengthening and cooperation between projects. These could also be comprehended into four main possibilities: synergy, cooperation, conflict and segmentation, which provide a framework to further elaborate on expected patterns of interaction between ROs. More interestingly, by borrowing from the experience of the European integration project, the author exemplifies the positive potential of institutional plurality, referring to studies by Hoffmann and Mérand (2012) who argue that regional negotiations are less likely to fail when states have the possibility to opt-out of policies that do not correspond with their interests; thus establishing the concepts of regional integration at different velocities and agreements with “varied geometries” (HOFFMANN, MÉRAND,

² A good example of this statement would be the case of Mercosur. Even though the original or explicit mandate of the bloc was centered on trade, it has since evolved to include sectoral themes such as health or education.

2012).

However, the type of institutions may constitute an important factor when analyzing the potential of the institutional plurality as the theoretical discussion does not dedicate special attention to the fact that the organizational logic of a region may be composed of informal or limited institutionalized systems with scarce capabilities, which could hamper the positive effects of the multitude of ROs. Therefore, some authors diverge from these perspectives, as we have previously discussed³. Malamud and Giardini (2012) argue that overlapping doesn't necessarily produce a competitive regionalism, but rather segments it, facilitating decentralization at the sub-regional level.

Another author who has reflected on the effects caused by the complexity of the international regime for regional governance is Laura Gómez-Mera (2015). In her analysis, Gómez-Mera does not disregard the possibilities for synergy and cooperation between organizations. However, she identifies three main mechanisms that sabotage the proliferation of international agreements and the effectivity of cooperation: legal fragmentation; the use of institutional strategies; and constant competition that causes the regional unity to unravel. These challenges proposed by Gómez-Mera also add interesting features to the perception of what regional behaviors could look like, considering the tactics behind the use of such mechanisms.

This could contribute to states losing confidence in, or even abandoning regional integration altogether in favor of uni- or multilateral initiatives. The absence of direct conflict between institutions, which might be considered an opportunity for synergy and cooperation, should not be promptly interpreted as a positive effect; often, regional blocs experience serious difficulties in meeting their objectives, while states often opt to negotiate directly rather than in the regional context.

In addition, we consider that institutional overlapping can produce outcomes that might not be regarded monolithically. For instance, the same action can be positive for crises' resolution and at the same time generate friction within actors, such as when two ROs have the same position, thus generating positive reinforcement, but simultaneously, they compete for the leadership on the conflict resolution. This friction generates ambiguity, hijacks institutional legitimacy and therefore can delay or bypass the results.

In this way, given the questions and arguments raised, and, as previously discussed, we broadened the research regions to evaluate the interplay of overlapping institutions around the

³ Cf. RIBEIRO; MARIANO, 2017.

world, and to propose generalizations about the effects of the phenomenon. As Nolte (2014, p.9) recalls the statements by Brosig (2010, p.37), “competition between organizations is most likely if there is significant overlap in core competence fields or if one core area of one organization threatens to dominate a peripheral policy area of another organization”, whereas overlapping in policy areas of secondary importance has a greater chance of generating cooperation, we have chosen to analyze a particularly sensitive issue to ROs, that would therefore demand more institutional action and provide more data to the research. In fact, we continued the policy agenda analysis used in the previous research stage (RIBEIRO, 2016)⁴, in order to advance in the studies beyond the member/mandate relationship, but we singled out a specific subject to be studied cross-regionally, one of the most sensitive issues to the blocs as they would be related to their cores of power: *political crises*.

By *political crises*, we intend to bring together the different terms used in the two regions to refer to the incidents such as coups d'état; attempted coups; undemocratic seizing or maintenance of power; and violations of the constitutional order; which are known as democratic ruptures or attempted ruptures, and invoke the use of mechanisms for democracy protection (MDPs) in South American Regionalism; and as Unconstitutional Changes of Government, by African regulations. This definition is derived from the normative context of democratic clauses, democracy protection and good governance, as specifically described by each ROs' legal instruments. Those terms will be further addressed as we analyze the normative provisions in both regions throughout the case studies.

The choice for political crises is also in accordance with the theoretical framework of the thesis, which departs from the institutionalist perspective, particularly its historical strand (KEOHANE, 1989; PIERSON, 2004). Accordingly, as we study regional organizations, their contextual background, design and moment in time will have key roles in providing explanations on the effects of overlappings to ROs. The theory further stresses that there are moments which are propitious to conduct these analyses, namely *critical junctures*, or “a relatively short period in time during which an event or a set of events occurs that has a large and enduring subsequent impact” (MAHONEY; MOHAMEDALI; NGUYEN, 2016). Ikenberry (1994) explicitly cites political crises as critical junctures, therefore allowing their choice as object of analysis in an institutionalist framework, as they provide change to the scenarios.

⁴ The author's master dissertation was entitled “Overlapping regionalism and institutional proliferation in Latin America: complementarity and fragmentation in regional agendas”. It is available, in Portuguese, on: <<https://repositorio.unesp.br/handle/11449/136383>>.

Moments of political crises are also specially interesting in the light of current world events, which are giving rise to nationalist claims in opposition to communitarian approaches, as shown by the recent episode of the United Kingdom demand to leave the European Union, which became known as *Brexit*. As globalization advanced and has transformed international relations into a more porous set of interactions, regions still have central roles on conflict resolution and governance, as crises have also evolved to be regional in their nature, once they hardly stay confined to a country's national border. Another good example to this last statement would be how the economic and political crises in Venezuela have led to a refugee crisis on neighboring countries.

Overlapping regionalisms do not depend on political crises but will have effects more prominently seen on those moments, serving to the testing of our hypothesis on the potentialities of overlappings to generate conflict. The relevance of critical moments is also found on the literature on regime complexity, which has also served to base early approaches on overlapping regionalism and has been specifically used to understand African institutions. The core concept here is related to institutional interplay as stated by Brosig (2011; 2013): interaction between institutions would be triggered by two reasons: diverging norms; and the obligations derived from the institutional competence. Hence, both cases confirm the relevance of moments of crisis as relevant to measure since they foment the need of interaction, as they generate pression on normative fields for the interplay. On its turn, the interplay itself can generate two effects: empowering and integrative actions, or disruptive/conflictive action.

The literature has since stated that in matters of political and security cooperation, which include therefore our understanding of political crises, a mixed picture tends to emerge when looking at interactions in instances where several ROs have become involved in managing crises or conflicts considering that cross institutional action has either led to advancing cooperation or to blockades (WEIFFEN 2017; NOLTE; WEIFFEN 2018).

Thus, considering all the above-mentioned arguments, some questions could be proposed. According to the institutionalist theory (KEOHANE, 1989), institutions are instruments that would facilitate the trust of neighbors through the sharing of information and increase predictability. However, considering the coexistence of several institutions, how do we predict behavior or consolidate practices? What are the effects of segmented regionalism?

Those questions serve as auxiliary as they have helped shaping what would become the central problem of this doctoral research, which is consisted by a two-folded question:

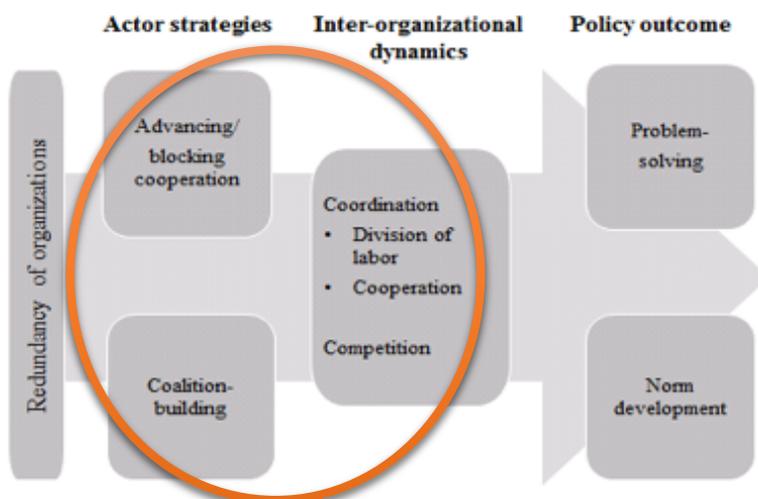
- *How do overlapping ROs behave when they have shared competence over an issue and how can they influence regional cohesion or fragmentation?*

The underlying motivation behind the questioning would then be the concern that institutional overlap would be a generator of regional fragmentation through the friction in the coexistence of different organizations. The aim is to conduct not an outcome-driven research, but a process-driven one, as we are not specifically looking at conflict resolution is reached but rather at the strategies adopted by ROs throughout critical events in order to interact in a complex system.

This goal can be further illustrated by Figure 1 below on the consequences of institutional overlap. As the redundancy of ROs will ultimately lead to policy outcomes, our focus rests on the two previous stages, namely the actor strategies and inter-organizational dynamics, to which we seek to perceive the presence or absence of interaction patterns in overlapping situation.

Ultimately, when we question the effects to regional governance, what we mean to analyze are the outcomes of these organizational behaviors and interactions to regional cohesion, not necessarily in terms of policy outcomes, but in terms of coexistence. Under what conditions interactions generate complementarity between regional blocs or provide friction and fragmentation?

Figure 1- Consequences of institutional overlap



Source: NOLTE; WEIFFEN, 2018; with our highlight (circle).

1.2 Theoretical and methodological framework

Considering the proposed questions and object, the methodological background adopted relies on Comparative Regionalism in order to understand the common conjuncture presented in the analyzed regions. This field has been subject to dubious assessments in the past, as European integration was put into perspective as a model experience and there was no consensual clarity in the definition of its elementary concepts. Thus, area specialists have also strongly criticized the cultural relativism employed in these studies and stressed the need for a deep multidisciplinary knowledge of complex contexts and peoples (SÖDERBAUM, 2008).

However, as the studies developed, a consensus in the field of study concerning the practice of regionalism was reached and as Acharya (2012) points out, regionalism is a socially constructed political movement whose form depends directly on the domestic and transnational interests involved in the process, allowing therefore the comprehension that it encompasses not only state actors but also non-governmental actors within a given region.

Considering the social aspect of the construction of regional initiatives, the need for field studies to be conducted from non-European perspectives in order to avoid Euro-Standardization of regional processes conducted in different contexts, is derived as Sbragia (2008), Söderbaum (2008), De Lombaerde et al (2010) and Acharya (2012) further point out. The idea of comparison helps in the prevention of ethnocentric and cultural interpretations, but in order to make it feasible, it is necessary to create new generalizations or invalidate previously established generalizations (AXLINE, 1994). This is why we have chosen to work with two cases, two regions that offer the perspective of the global South to provide a solid basis for analysis.

The comparison in studies of comparative regionalism offers the opportunity of avoiding the narrowness of a single experience, or parochialism, while testing the validity of assumptions externally. It allows reflections on the meanings of concepts such as “regional integration” and “regionalism” from non-Eurocentric perspectives and enables the accounting of common challenges and perspectives. Therefore, comparison on the field does not mean the valuative action of determining which region has “the best” approach to regionalism, but it relies on the possibility of enhancing the understanding of regional dynamics on the basis of commonalities among them.

Thus, given the conjunctural similarity of the Global South on the studied regions, the analysis of the institutional framework’s evolution could enable the debate on resources to promote development in the existing blocs. In addition, the study of regions that could

arguably be considered as global peripheries provides for the analysis of the relationship between colonialism, integration and the development of autonomy in those regions.

In order to provide the study of patterns of organizational behavior or response to be compared, in addition to the political and historical contexts, the analysis should focus on the formal institutional structures that make up the regional processes to perceive their dynamics and scope of action, without disregarding the regional organization's performances that are developed ad hoc or informally. According to Acharya (2012), in this sense, we once again highlight the institutionalist theory of international relations, which starts to question not the validity of regional institutions, but the *how* they matter. Therefore, as we have previously stated, we intend to analyze the documents and actions from an institutionalist point of view (KEOHANE, 1989).

As regarding the *how* they matter propositions, through the use of the two-level game dynamics (PUTNAM, 1988) also comes a response to the comprehension of the organizational behaviors, as it considers the spheres in which institutional actions are inserted. In this sense, we adapt the author's propositions, which have been previously used on Foreign Policy analysis⁵, to reflect on ROs' behavior as a result of a binomial game. Putnam's contribution, which states that the position of a State at the international level would be the result of the intersection of the interests of governmental and non-governmental actors is therefore adapted to understand the position of a regional organization. Thus, regional interplay would be the result of the game between the sub-regional and the regional, or the international level, whose common positions and conflicts would lead to the formation of a given region's interests and would thus shape these actors' behaviors.

These types of interaction would fit then into a model to study strategic choices on given situations of imperfect competition, specifically contributing to the understanding of how actions can affect different actors, making the outcomes of a situation the results of the actors' performances choices, as we preliminarily draw on table 1 (p.29), and further develop on chapter 5, after the empirical analysis.

The types of behavior on the table are scaled from the most cooperative or synergic, which produces as a response a scenario of regional complementarity, through the most conflictive or clashing, that leads to a result of a fragmented regional cohesion. Some indicators of behavioral type that could be fitted into the table involve: the agreement between two ROs and the positive reinforcement of an action, which generates cooperation or a

⁵ Cf. DA CONCEIÇÃO-HELDT, E.; MELLO, P. Two-Level Games in Foreign Policy Analysis, Oxford Research Encyclopedia of Politics, New York & Oxford: Oxford University Press, 2017.

synergic regional governance; the agreement between two ROs without clear role definition on action generating competition for regional leadership (even if it results in positive reinforcement), which creates a cooperative but competitive scenario; the decision or incapacity by one of the involved ROs not to act, either in a situation of agreement or disagreement, which generates a regional silence or indifference that neither advances nor hampers regional actions; the disagreement of a RO with a given measure and its decision not to act or to blockade the action, which generates a situation of institutional deadlock, and the veto behavior among players; and lastly, the most conflicting scenario which occurs when two ROs have clashing interpretations on how to act on a given situation, and aim to delegitimize other actor's performances, generating fragmentation of regional cohesion.

Table 1- Types organizational behavior and corresponding regional results

Type of organizational behavior	Behavior outcome
Cooperative-synergic	Coordination or complementarity
Cooperative-competitive	Agreement with competition for leadership
Conflictive-passive or cooperative-passive	Silence or indifference
Conflictive-blockade	Deadlock/veto
Conflictive-clashing	Fragmentation

Source: author's elaboration

It is imperative to stress that case studies and institutional responses are not presented monolithically, as ROs can have different positionings over time. The indicators and the actors' performances choices described above and fitted into table 1 should be further developed in the case analysis' chapter.

On another note, even though the proposition of a behavioral typology exerts the actor's underlying rational choice, which could contradict the affirmations of the need of context from historical institutionalism, the combination between both strands of thought is made possible by the comprehension of bounded rationality (JONES, 1999). As statements from historical institutionalism and its perception of path dependency could not directly be framed as rational, this does not mean that organizational politics are irrational. As Jones (1999) affirms, bounded rationality asserts that decision makers are intendedly rational, or goal-oriented and adaptive, but their preexisting underlying features, such as their human cognitive architecture can partly compromise its rationality, creating a deviation. Therefore, by bringing together bounded rationality and institutionalism we admit the influence exerted

by historical features of ROs, allowing the understanding of path dependence and particular features of institutional trajectory, such as critical junctures as a rationality that results from processing behavioral limits.

Lastly, even though we recognize the challenges and the untraditional approach, we rely on a broader perspective comprehension of multiple cases through qualitative testing to address the inquiries of this thesis, since it can help tackle the “*how general?*” question about institutional interplay, analogously to Gary Goertz’ (2017) proposition of a large-N qualitative analysis. Seeking to produce generalizations and generalizability on the study of ROs patterns of action in overlapping scenarios, we meet Goertz’ requirements by examining a selection of all of the relevant sub-regions for concrete, empirical evidence, as we discuss in the following section.

1.3 Case selection and thesis’ scope

Considering the preeminence of multilayered regional relationships in the different regions of the world and the need to develop empirical studies on overlappings in order to consider its effects, the present thesis also aims to contribute to comparative regionalism studies by considering each region individually and valuing the Global South as a producer of regional dynamics.

The initial idea was to cover cases on three regions, avoiding Euro-standardizations by considering besides south America and Africa, the Asian continent, to be studied from the perspective of Southeast Asian overlapping organizations. However, as the inductive research was developed on political crises, the central focus of case analysis, Asia, in its particularity, presented a situation of indifference and non-action within ROs, which can therefore be perceived as a non-negative but also as a non-existent effect. As we center the attention of this research on institutional interactions and the *form* they can present themselves, in the absence of actions and, consequently, interactions, we decided to focus the research on the regions that provide richer material for the analysis.

Thus, we proposed to resume and deepen studies on the effects of overlapping organizations in South America, with the intention of providing elements that could contribute to the development of a positive regional dynamic. The choice for South America instead of Latin America derives from the perspective that the disaggregation of the American continent into sub-regions has given birth to such different regional logics within the Caribbean, North and Central American contexts, that even the overlapping dynamics are disaggregated,

presenting themselves more attractively and intensely within the sub-regions. Hence, we continue the analysis of the experiences of MERCOSUR, UNASUR and CELAC started at the master's studies adding regards to the other regional projects with competences on the sub-region, such as the Andean Community (CAN) and the Organization of American States (OAS), in the sectoral cases where they are pertinent.

In the African case, however, the preeminence of the continental logic proposed by the African Union (AU) provides an interesting opportunity to analyze the relationship between the pan-African organization, as a continental organization with some of the sub-regional experiences, the so-called Regional Economic Communities (RECs). This study also can contribute to the empirical testing of propositions on overlapping regionalism. For instance, according to Nolte (2014), the presence of more comprehensive central ROs that articulate the multiple sub-regional platforms and build bridges between the different mechanisms while using institutional overlapping to their advantage, could represent a positive aspect for regional governance and cohesion.

Therefore, when we look at specific sectoral cases, it will be interesting to see how the interplay between the overlapping organizations work in a situation where a continental mechanism that intends to organize the relationship with sub-regional blocs exists. In this case, following the African Union's interpretation, eight of the existing sub-regional organizations are categorized as RECs and understood as *building blocs*, or pillars for the development of continental regionalism. They are the Arab Maghreb Union (AMU); the Common Market for Eastern and Southern Africa (COMESA); the Community of Sahel-Saharan States (CEN-SAD); the East African Community (EAC); the Economic Community of Central African States (ECCAS); the Economic Community of West African States (ECOWAS); the Intergovernmental Authority on Development (IGAD); and the Southern African Development Community (SADC). The plurality of African institutions also functions as way of granting the study with a large enough universe of cases, as we can further develop analysis on dyadic relationships between the AU and each one of the particular RECs, to perceive their behavior and interaction.

As we have already justified the choice of political crises as the sectoral cut and scope condition, we move through the geographical selection, and regard the temporal framework. The timeline of analysis was established from normative milestones in the different regions concerning democratic violations and unconstitutional changes of government. In the African case, for instance, we depart from the institutionalization of the Peace and Security Council of the African Union (2004), as a rule landmark for the enforcement of its normative framework

on unconstitutional changes of government (UCGs). Considering the high number of cases through the years, this selection also makes the research more feasible.

However, in the South American case, the same institutional design cannot be perceived, as democratic provisions and interventions are based on charters and normative acts known as democratic clauses or mechanisms for democratic protection. Therefore, the point of departure is the moment when the overlapping competences regarding democratic abuses began in the sub-continent in 1996, as Mercosur signed its first commitment on the subject, hence sharing the competence on the subject with the OAS, which had previously signed a similar resolution in 1991, and a protocol in 1992. Over the following years, other ROs in the continent have come to sign provisions on the subject, thus becoming co-responsible for the democratic stability on the region.

Departing from an earlier period is also a research choice based on the literature, as in the case of South America, the recent secondary data has already attempted to systematize the cases of political crises that occurred in recent years, through two main works by Weiffen (2017) and Nolte (2018). The authors also affirmed (2018) that there is a different dynamic on overlapping actions overtime in the region: while in the 1990s the coordinative logic would be preeminent, from the years 2000, a competitive logic has been installed. This perception could therefore provide interesting data for the analysis, allowing the comparison of patterns of interaction over time.

Among the two regional cases, we have been able to map multiple within cases that meet the scope conditions of organizational overlap interaction in a situation of political crises in the relevant years. From the mapping we established the following criteria for the case selection and analysis: first all of the continents' sub-regions organizations should be represented. Therefore, the choice for case-countries considers that all ROs in the region are entitled to debate a scenario of political crisis at least once, even if they choose not to act. The second relevant criterium was the availability of data, which also considers the impact of the crisis on the region and on the literature production. A complete list of the compiled cases can be seen in each regional chapter (chapters 3 and 4).

Lastly, due to the advances of academic production on the topic, we were able to work with all of the mapped ruptures to the democratic order in South America that fit the scope conditions and were negotiated with overlapping mandates: 2010 Ecuador; 2012 Paraguay; and 2013-onwards Venezuela. As for Africa, since the number of cases is very high, more selection criteria had to be employed. They are further described on chapter 3, but, for symmetry reasons and according to the methodological approach that favors the possibility of

providing generalizations, we analyze within cases in all five African sub-regions and its relationship with the AU. They are: 2009 Madagascar representing Southern Africa; 2012 Mali and 2017 Gambia, representing West Africa; 2013 Central African Republic for Central Africa; 2013 Egypt for Northern Africa; and 2015 Burundi for Eastern Africa.

1.4 Research procedures

The research has three main stages of analysis: mapping the regional organizations that compose scenario of overlapping in Africa and South America for political and historical contextualization which will be further used to understand organizational behavior; Case study scrutiny comprising the selection of cases that meet the research conditions in order to capture patterns of organizational behavior; Comparative systemization of convergences and divergences between regional processes to signify ROs behavior accordingly to the process of regional overlap.

Thus, in the first stage, we seek to present the general political and historical panorama of regionalism in the two regions and the prominent institutional overlaps, in order to make known the overlapping scenario to be analyzed and allow discussion of the drivers of regionalism, which led to this conformation, allowing its comparison. Next, as we depart from historical institutionalism, we analyze ROs and their action when confronted with critical junctures (political crises), in order to provide evidence about the effects of overlapping on the interaction between ROs and its consequences for regional governance. To do so, we use primary and secondary data to trace institutional patterns of action, throughout the selected cases that meet preliminarily established conditions in both continents. The data is then processed through presence and absence to reflect on influent regional conditions and outcomes.

Data systematization will also serve to highlight the specificities of each region or process and to enable the listing of variables that might influence the results of both the organizational behaviors and interplays, and their consequences to the concretization of the possible scenarios of regional fragmentation or complementarity, as indicated in the research question. Thus, the study of the processes is done individually, but simultaneously with both regions through the production of correlations between the presence and absence of patterns of organizational behavior, which are studied both in a broad regional perspective, and in a sub-regional dyadic one.

The final effort is to develop the main argument of the thesis on institutional

interactions in overlapping regionalisms, analyzing the implications of segmented institutional proliferation for the development of regionalism in the global South, considering the different contributions of the regions in which they are inserted.

1.5 Summing up: contributions of the cross regional organizational behavior analysis

In conclusion, considering the different theoretical, conceptual and methodological perspectives combined in this chapter, together with the thesis overview provided by the research procedures, we could single out contributions to be achieved by the present doctoral thesis.

Firstly, overlapping regionalism is still a relatively new field, whose studies have been developing in the last decade, but still demand empirical exploration. This affirmation is also supported by the fact that most of the works of the literature are focused on a single region. Thus, the research here presented also offers a contribution as it values the cross-regional approach of comparative regionalism, not only by not studying a mainstream region, but by combining the analysis of two of them.

Secondly, in this research we are focusing on the process of interactions generated by overlapping competences, not on policy outcomes, as does most of the existing literature. This differentiation allows observation on organizational behavior and institutional learning, which by its turn can provide reflections on how the plurality of ROs affects regional power dynamics from the dyadic interplays between the sub-regional and regional levels. Moreover, when we consider the African continent, the innovation relies primarily on associating studies on regionalism to overlappings as such conceptual problems, since the literature on regime complexity is more preeminent.

Finally, regarding the unusual methodological choice of a broad spectrum, the horizontal selection of multiple cases to cover different sub-regions can also provide further developments to the field, as we test approaches to political crises by applying qualitative analysis to institutional interplays at the regional level, enabling not only methodological testing, but also the advance of theory building.

2 REGIONALISM IN THE GLOBAL SOUTH: INSTITUTIONAL MAPPING OF THE SCENARIOS OF OVERLAPPING

In order to advance questioning the phenomena of overlapping ROs and to provide a contextual framework to the research, a set of preliminary inquiries must be addressed, such as: how are regional scenarios composed in Africa and Latin America? What types of institutions are present, what is their context of creation? What are the factors that lead states to associate around ROs? Does the presence of said factors in the beginning of the processes translate into influence in the results of the interactions of the coexistence of blocs in a complex regional scenario? Are there characteristics common to these regions?

The justification for proposing such contextual questions lies in the theoretical framework that underlies the thesis, institutionalism (KEOHANE, 1989), and which, therefore, is centered on the formal and institutional structures that make up the regional processes to perceive their dynamics and scope of action. As we have stated before, according to Acharya (2012), in this sense, we highlight that this framework starts to question not the validity of regional institutions, but *how* they matter.

By associating the motivation behind the conformation of scenarios with the literature of drivers of regionalism, we aim to provide not causal but analytical elements that allow future reflection in the thesis about the participation of the elements that make up the history of regional processes in their later functioning and behavior, in cases of overlapping institutions. In this sense, therefore, we deal with the concept of *path dependence*, prevenient from historical institutionalism, which perceives the sequences in which events unfold as elementary to understand later consequences (PIERSON, 2004).

Thus, the so-called *drivers* are the factors that motivate and initiate the development of regional processes and they can assume the most varied characteristics, from the interests of national elites and their ability to press governments for integration, to the presence of threats that can be better faced together. The present work does not intend to simplify said drivers, because it is understood that these should not be analyzed in a monolithic way, but as a complex set that influences the formation of preferences for the institutional establishment. Notwithstanding, the intention that underlies the study of drivers is, in accordance with the aforementioned path dependence perspective, to be able to reflect on how its influences might be determining on the shaping of regional relationships between overlapping organizations.

Therefore, in this first moment we present the problem through a panorama of the regional organizations in two regions of the world, with the objective of illustrating the

display of organizational settings in Africa and South America before proceeding to the case-specific analysis on the next chapters of the doctoral thesis. Consequently, the aim of this chapter is to reflect on possible commonalities between the regions, and to provide future material for analyzing the organizational behavior, through the knowledge and problematization of the scenarios of overlapping regionalisms, their conformation and the drivers that drove the establishment of their institutions.

Yet, before moving on to the individual study of each region, we address on the next two sections two fundamental topics for this research. We further develop the theoretical background on overlapping regionalisms and why it is so relevant for this study; and then we enter the discussion on drivers of regionalism, which encourages the discussion of development and trajectory in the regional processes.

2.1 Overlapping regional organizations and regional interplays

As we have introduced on the previous chapter, overlapping regionalism has been conceived as instances in which states are affiliated with several regional organizations (ROs), which are autonomous and independent of each other, creating an overlap of memberships; and share similar objectives in their scope and policies, thus producing overlapping mandates. The term has been consolidated by the literature (MALAMUD, 2013; WEIFFEN; WEHNER; NOLTE, 2013; WEIFFEN, 2017; NOLTE, 2014, 2016, 2018; PANKE STAPEL, 2016) mostly on studies of the profusion and coexistence of regional processes in Latin America⁶.

We underscore, however, that for this study, we also consider the overlapping actions propelled by the ROs on a complex scenario, as previous researches (RIBEIRO, 2016) have demonstrated that with institutional enlargements, the mandates not always cover for the entire scope of action of a regional bloc. We further develop the conceptualization and characteristics of overlapping in action on chapter 5, after the enlistment of the contributions of the empirical analysis, but the prescriptions for the formulation of the dyadic overlapping in action relationship are similar to those concerning overlapping mandates. In short, a situation with two or more ROs that share member states and policy areas constitute a scenario of overlap-

⁶ A few studies have addressed overlapping regionalisms in Europe and Asia. For Europe, cf. PANKE, D., & STAPEL, S. Overlapping regionalism in Europe: Patterns and effects. *The British Journal of Politics and International Relations*, 20(1), 239–258, 2018; and on Asia, see YEO, A. Overlapping regionalism in East Asia: determinants and potential effects, *International Relations of the Asia-Pacific*, Volume 18, Issue 2, Pages 161–191, 2018.

ping organizations. If the shared policy areas are ruled by a formal mandate, there is a *de jure* overlapping, while a *de facto* overlap is formed through the actions of the involved ROs.

The research and conceptualization on overlapping regionalisms are derived from the regime complexity literature (BROSIG, 2011; WEIFFEN, WEHNER; NOLTE, 2013), which produced important insights on how the multiplicity of institutions affects the way they will interact at the international level (BROSIG, 2011; 2013).

Orsini, Morin and Young (2013, p.29) define regime complexes “as a network of three or more international regimes that relate to a common subject matter; exhibit overlapping membership; and generate substantive, normative, or operative interactions”. The authors recognize that those interactions are perceived as potentially problematic to the environment they are inserted to independently of if they are managed effectively, or not.

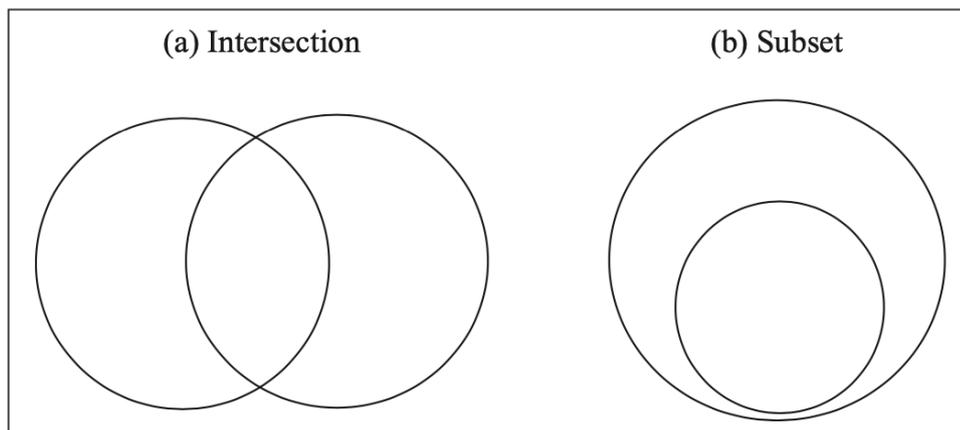
Weiffen (2017) clarifies that even if regime complexity studies are focused on international treaties and conventions, rather than on formal organizations, there are some similarities among the two fields of institutional interplay, as they share “the theoretical specification of causal mechanisms underlying the consequences of overlap”. Brosig’s work (2011, p. 150) agrees on the commonalities and states that “the most significant difference between treaty regimes and international organizations is the difference in the degree of agency”. Thus, the author affirms that this divergency between the two regimes would be the organizations’ ability to manage their interactions on the complex scenario, by formulating their external relations pro-actively (BROSIG, 2011, p.150).

Brosig’s contributions also provide a theoretical basis for our proposal of studying how ROs behave on overlapping settings, as the author further enunciates that overlaps will generate a normative pressure for the organizations to react to common issues through the actors’ behavior, and thus trigger interaction among them. Those forces for interplay may lead to empowering as well as disruptive effects and the author (BROSIG, 2011, p.152) has categorized them under two main factors: the existence of diverging norms and behavior; and the impact of the obligations that an international organization imposes on itself and its members. Consequently, overlaps change the strategies open to national and international actors to achieve their preferences through regionalism (WEIFFEN, 2017), and understanding these settings and organizational behavior thus becomes relevant, considering the outcomes they can produce on the regions they are located at.

2.1.1 Configuration types of overlap

Weiffen, Wehner and Nolte (2013) have presented one of the first conceptualizations of overlapping organizations, and the possible configuration the phenomenon might assume. Considering the relationship between mandates and memberships, the authors present two variants of overlap, which can be seen on Figure 2 below. In the first constellation, (a) Intersection, the two circles represent two regional organizations with common mandates and an intersection of states to both organizations. The second diagram, (b) Subset, presents “an overlapping mandate with nested membership, where all members of a smaller organization are part of a larger organization, but both organizations are autonomous and independent of each other” (WEIFFEN; WHENER; NOLTE, 2013, p.374).

Figure 2- Variants of overlap



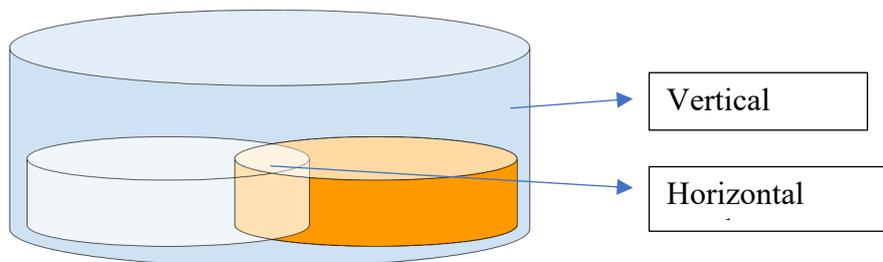
Source: WEIFFEN; WHENER; NOLTE, 2013, p.375

In order to provide further specialization to categories of overlap, we draw on Young’s (2002, apud BROSIG, 2011) formulations about organizational interplay and clarify that we understand as *horizontal* overlappings the sharing of mandates/actions or memberships between two ROs at the same level (regional or sub-regional), while we refer to *vertical* overlap when considering the relationship between an organization at the sub-regional and the other at the regional - or continental level as seen in figure 3, on the next page. The sets covered by the concept of vertical overlappings therefore address the levels of interaction between sub-regional and regional; sub-regional and continental; regional and continental organizations; while horizontal overlappings cover organizations at the same level: sub-regional - sub-regional, or regional - regional, and so forth.

The notion of vertical overlappings is partly compatible with the idea of nested

international organizations as pictured by the literature on regime complexity (WEIFFEN; WEHNER; NOLTE, 2013). However, we choose to present it differently as we also consider the possibility of finding ROs in a vertical overlapping situation where they are not fully nested due to not sharing the totality of member states, only coexisting at different levels. A good example would be the situation between the African Union and the Arab Maghreb Union (AMU) with Morocco until 2017: the country was a member of the sub-regional organization, but not of the continental one, thus making the nesting between organizations imperfect. Also, another possibility would be the existence of nested settings at the same level, meaning, two sub-regional nested organizations that do not represent a vertical overlap, as considered by our definition, as for example ECOWAS and WAEMU.

Figure 3 – Explaining ROs horizontal and vertical overlappings



Source: author's elaboration

2.1.2 Potential outcomes' scenarios: why overlappings matter

The existence of overlapping regional organizations is not intrinsically good or bad for regional development, as both outcomes can prevail from the interaction between regional organizations. The specific literature on the subject has presented divided impressions of what the real consequences of the complexity of regional scenarios would be, as we discuss below.

Among the positive potential of institutional plurality's arguments, Hoffmann and Mérand (2012) argue, that regional negotiations are less likely to fail when states have the possibility to opt-out of arrangements that do not meet their interests. Based on the European experience, the authors have proposed the concepts of regional integration at *different velocities* and agreements with *varied geometries* (HOFFMANN, MÉRAND, 2012).

Nolte (2014) also contributes to this view by stating that combining the flexibility with which states can choose the processes in line with their interests while keeping their loyalty to other regional partnerships could contribute to the articulation of regional governance while fomenting cross-sectoral associations focusing on different themes in multiple regional pro-

jects. According to the author, one factor that could help the articulation of the multiple sub-regional platforms and build bridges between the different mechanisms would be the presence of comprehensive central institutions that could use institutional overlapping to their advantage and foster regional governance.

Other positive views on overlapping scenarios would be that a diverse scenario and its competitive pressures could stimulate development and innovation, cause the reinforcement of regional positions, and foster the division of labor and specialization among ROs.

Nonetheless, some points of view diverge from the perspectives outlined before and enlist possible consequences of the organizational plurality. Malamud and Giardini (2012) affirm that overlappings could lead to competitive regionalism, to the appearance or deepening of the divisions between countries, to increased tension and disagreements, and eventually to a hemispheric disintegration based on emerging sub-regionalism.

Laura Gómez-Mera (2015) does not disregard the possibilities for synergy and cooperation between institutions but identifies three mechanisms that sabotage the effectivity of cooperation on overlapping situations: legal fragmentation; the use of inter-institutional strategies; and constant competition that causes the regional unity to be segmented.

The first mechanism refers to the normative ambiguity generated by institutional overlapping, which increases the difficulties in complying with regional initiatives, is costly for both the public and private sectors, and demands a considerable legal and technical know-how. The second mechanism is the formulation of inter-institutional political strategies through which negotiations can be shifted from one bloc to the other with the objective to benefit by influencing the nature of their regimes. And the third mechanism is the erosion of regional cohesion and unity through constant competition (GÓMEZ-MERA, 2015).

The author's proposed mechanisms would generate conflict and segmentation as they enable actors to switch between different legal frameworks, effectively forum 'shopping' for most attractive or favorable set of rules to deal with a particular situation; allow actors to develop a strategic inconsistency in dealing with regional blocs with the purpose of undermining the legitimacy of one organization; and create inefficiencies and even undermine the effectivity of common efforts in the resolution of international conflicts (GÓMEZ-MERA, 2015, p. 23). Gómez-Mera further stresses that the constant competition among organizations could contribute to states losing confidence in, or even abandoning regional integration altogether in favor of other initiatives.

Considering the characteristics and consequences of overlapping regional organizations, we move on to the next section in order to develop the argument about drivers

and their influence on the processes of regionalism, and consequently on the formation of the complex regional scenarios. We depart from the theoretical framework proposed by Louise Fawcett and Philomena Murray (2015), whose constructivist perspective, combined with the institutionalist logic, encourages discussion of development and trajectory in the regional processes. In addition, we considered specific factors to each region in order to value diversity and comply with the methodological framework of Comparative Regionalism, as we mentioned on the previous chapter.

Thus, some additional questions that could be raised after scrutinizing the concept of overlapping regionalisms would be: can drivers be understood as important factors not only for understanding the composition of regional organizations but also to comprehend overlapping scenarios? Is there a driver that tends to produce more overlaps? Beyond that: are the history and origins of regional processes decisive in shaping their behavior?

2.2 Drivers

Before addressing the theoretical predictions for regional drivers, a conceptual elucidation must be made. “Regional integration” and “regionalism” are two expressions that have been used indistinctively by authors and politicians over the years to address the political movements that brought states together. However, even though all “regional integration” processes are also part of a “regionalism” process, the reciprocal is not true, as currently some consensus has been achieved among specialists (BÖRZEL; RISSE, 2016) that “integration” presupposes autonomy delegation in favor of creating supranational instances. On its turn “regionalism” also comprehends state-led cooperation projects, with intergovernmental characteristics that are created among countries of a common regional space. This clarification was needed in order to avoid conceptual ambiguity, since parts of the guiding literature on regional drivers’ development have concentrated the conceptualization either on “regional integration” or “regionalism”, and yet research has demonstrated that the factors that influence the approximation of regional interests are common to both processes, and thus both contributions are combined on the debate.

Louise Fawcett (2015) defines the drivers as “that collective of factors that, historically and at present, may contribute to the *process* of integration” (FAWCETT, 2015, p. 35, emphasis added). Therefore, the drivers do not only explain the beginning of the processes, but also their changes, and three would be the main elements that serve for the historical explanation and provide bases for the comparison in the regional construction: core

states; ideas about the region; and institutional environment.

According to the author, the first factor would be linked to the exercise of leadership by key countries in the promotion and development of ROs. As an example, one could cite Brazil's role in shaping the Union of South American Nations (UNASUR), or the leading role that rising countries like Nigeria, South Africa and India assume in their own sub-regions. On the other hand, the factor related to ideas about the region addresses how States and the individuals and groups that promote them act in order to establish parameters for what is acceptable and possible. Finally, the factor that considers institutional environments relates the presence of existing international institutions that act to shape regionalisms. As an example, there is the UN and the proposal of conformation of sub-regional organizations in the sphere of security in various parts of the world (FAWCETT, 2015, p.50).

Philomena Murray (2015), in turn, considers that the factors that lead to regionalism are directly linked to two elements: trust and reconciliation between countries. Therefore, region building depends on community building, which can only be done through these two main factors. In turn, community building generates region building and therefore configures the regional scenarios as known.

The author lists endogenous and exogenous factors that can be considered as drivers influencing regional integration. In the list of endogenous, elements are described such as how perceptions about sovereignty may function as drivers or inhibitors; commitment and state leadership / capacity; economic interests; business interests; personalist leaderships. The exogenous ones, for example, would be the presence of an external hegemon - notably the US - or the need to compete or cooperate with a regional power – which is the case of China in Asia-; perceptions of threats or conflicts; diffusion of norms; or a regional bloc acting as a driver. Finally, Tanja Börzel summarizes by stating: “The main drivers for regionalism are the (material) gains states expect to reap from trading with each other” (BÖRZEL, 2016).

In this way, by delimiting possible factors for the promotion of ROs, it is possible to proceed with the questioning about the relationship between the elements that influence the conformation of the institutions and the way in which they will relate to each other when the regional situations cause their interaction. Moreover, although drivers of regionalism are not always the drivers of overlapping, one can discuss their role in shaping complex regional scenarios. Finally, one can still question the existence and influence of path dependence from drivers when analyzing how regional organizations behave.

2.3 Latin America: Scenarios of overlapping, South American Studies

In Latin America, the roots of the influences of regional integration processes date back to the independence period of the former, especially Iberian, colonies. Since then, according to Bianculli (2016), two main trends have guided the proposal of competing projects in the region. The first one is based on the ideals of Simon Bolívar, which, from the end of the nineteenth century, proposed the making of political articulations for the union of the neighboring nations, seeking to affirm the non-alignment of the new states not only to the colonial metropolises through their own concertation, but also to distance themselves from the expansion of the United States. Although unsuccessful in institution building in this period, this trend leaves marks for the continuity of processes in subsequent periods.

In its turn, the second trend would be aligned with the ideas proposed by the United States itself for the region and goes beyond the *Latin* understanding of the region to comprise the neighbors of the North. Between the years of 1889 and 1930, the Pan American Conferences, organized by the United States, had the objective of promoting a hemispheric regionalism, with roots in the Monroe Doctrine and the ideal of “America for the Americans”. Pan-Americanism inaugurates the construction of institutions in the region, but its importance is also due to its consequent contestation, as we will discuss later.

The two trends for regional approximation have been described by the literature as *waves of regionalism*, an illustrative expression to address the moments in history where conditions have made the development of regional processes more propitious. The initial classification of the waves’ periods was much based on the European experience, but these moments have also contributed to the understanding of the historical conformation of the Latin American blocs, since the waves presented themselves to the countries as means in the constant search for overcoming the condition of underdevelopment, and even an exclusive wave of regionalism is created in Latin American in the 2000’s. Therefore, it is clarified for the purposes of comparison, that in the Latin American case, where the waves and the phases of creation of ROs are coherent, they will be used for periodization and the perception of the drivers. In the case of Africa, periodization follows its own criteria, as we argue on section 2.4.

Something to emphasize, however, is that the understanding of Latin America as a whole, as an area of integration, goes through adaptations. Although the regional blocs proliferated at such moments, initiatives that comprised the entire subcontinent could not achieve integrationist successes or had limitations. In fact, the “disintegration” of Latin

America in interconnected sub-regions (Andean America, the Caribbean, Central America, Southern Cone, Northern America) was a solution for the creation of processes in the face of the waves of regionalism and its understanding is essential for understanding the pursuit of integrated development in the region (PHILLIPS, 2005).

Thus, in addition to comprehensive projects such as the Latin American Free Trade Association – LAFTA or in its Portuguese acronym ALALC - (1960), which later gave way to the Latin American Integration Association – LAIA or ALADI - (1980) and the Community of Latin American and Caribbean States - CELAC - (2011), there are initiatives in the region that propose different ways of thinking about relationships with neighbors, whether through a redetermination of space or through sub-regions, as will be discussed below.

2.3.1 Closed Regionalism

The first cycle of regionalism emerged after World War II, strongly inspired by the successes of the integration process developed on the European continent and was termed *closed regionalism* (SARAIVA, 1999; HERZ, HOFFMAN, 2004). It was characterized by a concern centered on trade logic and economic protectionism, with a strong institutional framework - including a high degree of autonomy vis-à-vis national governments - and the pursuit of development through the stimulation of greater economic interdependence through trade.

It was at this moment that the first regional initiatives of Latin America appeared. While the Pan-American ideal embodied the formation of the Organization of American States (OAS or OEA) in 1948, motivated by the post-conflict world and regional security, other sub-regional initiatives were developed.

Reflecting on drivers, it is important to highlight the role played by the Economic Commission for Latin America and the Caribbean (ECLAC or CEPAL) in promoting ideas about how development would be achieved by the countries of the region and fostering regional integration as solution. It was through ideas like the structuralism of Raúl Prebisch in the years 1959-60 that the first regional projects as known today took shape. In reference to Prebisch (1959), Söderbaum (2016) explains that the ideal presented was that “liberalized intra-regional trade in combination with regional protectionism seemed to offer large economies of scale and wider markets, which could serve as a stimulus to industrialization, economic growth, and investment”.

Thus, the ideal of achieving development led to the creation of institutions that sought

to foster productive integration and imports substitution, such as LAFTA in 1960 and, sub-regionally, the Andean Pact in 1969, which developed an institutional framework inspired on the European model.

2.3.2 Open Regionalism

Closed regionalism presented limitations and was replaced by a new regionalist impulse in the 1980s and 1990s, in the context of the intensification of globalization and the “new world order”, which mainly met neoliberal norms - such as free trade and opening markets. Hence, this new moment was called *open regionalism* and its main provisions suggested the interdependence between neighboring countries should be promoted by the liberalization of economies, in order to strengthen the region's competitiveness and the interaction between nations.

One particularity of this moment is the intergovernmental character of the institutionalization adopted, in contrast to the aspirations for supranationalism from the previous period. In the context of open regionalism, one can also see the influence of ECLAC's proposals on institutional formation⁷, since countries saw in regional integration the opportunity to overcome the peripheral situation through an international competitive insertion. While the opening of economies was considered strategic, the state was no longer the only actor in the process, giving the private sector the opportunity to replace it in the promotion of regional integration. During this period many of the regional agreements still in force proliferate, as well as the re-launching of some existing mechanisms.

This is how the failed ALALC or LAFTA is relaunched in 1980 as ALADI (or LAIA) and the Andean Pact becomes the Andean Community (CAN) in 1996. As for the new sub-regional initiatives, proposals such as the Southern Common Market (MERCOSUR) in 1991, and the North America Free Trade Agreement (NAFTA) in 1994. With regard to the United States' proposals for the region, in 1994 a project for the establishment of a Free Trade Area of the Americas (FTAA or ALCA) also emerged.

2.3.3 Post-hegemonic regionalism

With the advent of the 2000s, the momentum developed for Latin American

⁷ On ECLAC's role on open regionalism, cf. CORAZZA, 2006.

regionalism is unique in relation to other regions of the world. Initially, with the rise of leftist governments in the countries of the region, it was believed that the neoliberal model of open regionalism had been overcome, since political and social issues gained more space in the debate. Based on the ideal that trade liberalization alone is not capable of promoting development, nor is it an integrated agenda for the construction of social equity (CIENFUEGOS; SANAHUJA, 2010), it was initially called *post-liberal* (VEIGA; RIOS, 2007).

With such strong political influences, the institutionality of the blocs created on this moment is more fluid in comparison to the previous waves, functioning as tools for concertation among member states and focusing more in strengthening cooperation than integration. Thus, the projects that emerged at that time are also created in order to achieve this new understanding of development.

It is at this moment, for example, that Latin American countries reject the FTAA project and the intentions of the United States, to propose new local interactions, for example, with the proposal of the concept of South America. Boosted especially by the Brazilian foreign policy, some positions of the academy, exemplified by Monica Hirst and Letícia Pinheiro (1995) and Henrique Altemani Oliveira (2005), affirm that from the government of Itamar Franco (1992-1994) the concept of South America gained a more strategic bias, endorsing the idea of the valorization by the foreign policy of the immediate neighbors. The perception of a new space and the regime shifting can therefore be considered as drivers in this period.

This positioning can be exemplified by the proposals that emerged at that time, such as the creation of a South American Free Trade Area (SAFTA or ALCSA) and the emergence of the Amazon Initiative, in addition to the aforementioned rejection of the FTAA and a relaunch of Mercosur in 2003, with its institutional expansion to cover new issues. The idea of forming institutions through the contestation of external elements also explains the creation of the Bolivarian Alliance for the Peoples of Our America (ALBA), in 2004.

In addition, another driver to be considered is the presence of a regional leader, a role played by Brazil at that moment. In both terms of Fernando Henrique Cardoso (1994-2002) and Luís Inácio Lula da Silva (2003-2010) as presidents, it was maintained that South America would be the key to Brazil's international insertion, as well as the strengthening of ideas for building an autonomous South American space in front of the developed powers, especially the United States, with the launching of the South American Community of Nations in 2004 (CASA), the embryo of the future Union of South American Nations (UNASUR),

2008.

The Brazilian initiative for regional valorization has also worked in a hemispheric sense by proposing a project to aggregate the Latin American countries, excluding the United States and Canada, through the Community of Latin American and Caribbean States (CELAC), in 2011. The bloc constituted a concertation forum with a political and social character, as demanded by the post-liberal wave of regionalism, and without any institutionalization.

Figure 4: Overlapping regional mechanisms in South America (with external members)



Source: author's elaboration

However, the moment was not marked only by the overcoming of liberalism and the resumption of the same presented by the Pacific Alliance, created in 2011, causes this wave to be called *post-hegemonic regionalism* (SERBIN, 2011; TUSSIE; RIGIROZZI, 2012), since there is not a unique model of integration to be followed, but the coexistence of multiple processes and orientations. Thus, as Fawcett (2005) points out, the different perceptions of

regionalism in Latin America have led to the creation of various institutional forms, hemispheric or sub-regional, that allowed countries to develop their own idea of regionalism, based on independent states and anti-imperialism.

2.4 Africa

Still little explored by much of the non-Africanist literature (BACH, 2016), African regionalism is rich and shows a great density of overlapping ROs. With roots dating back to colonial periods and the oldest RO in the world, Africa offers important material for the present study, whose contributions differ greatly from the other regions.

To understand the dynamism of African relations, it is necessary to go back to historical moments prior to the so-called waves of regionalism and to leave aside the categorical notions of historical inscription in order to perceive the legacies of the colonial period in the development of the current regional configuration. In fact, some authors like Bach (2016) argue that the very thought about regional “wave” development or the binarity between “old” and “new” regionalism, as discussed earlier, would be counterproductive in Africa, since the logic developed there would not follow trends in the rest of the world. Therefore, from the combination of elements of the literature, we propose the understanding of African regionalism and its drivers in four periods: colonial arrangements; postcolonial pan-Africanism; not so new “New Regionalism”; and the African Union era; to be addressed below.

2.4.1 Colonial Arrangements

The importance of going back in time in African studies lies in the legacies left by the form of relationship established between the metropolises, European powers, and the colonies at the time of the scramble for Africa, which took place at the Berlin Conference at the end of the twenty-first century (1884-1885). Moreover, such legacies are also apparent in the functioning, even today, of institutions created during the colonial period.

The occasion of the Berlin Conference is considered a milestone because the division of states was carried out at a time when the African territory was scarcely explored, with only isolated colonies, located mainly on the continent's coast. In this way, the division of the colonies between the European powers took place deliberately, disregarding often the ethnic groups, geographical accidents and preexisting limits.

From the division of the colonies and their common past, one goes to the forms adopted for the administration of the territories for the understanding of regional inheritances. In his book, Daniel Bach (2016) describes different ways in which the metropolises chose to administer the colonies, which directly impacted the genealogy of the African regional institutions, being able to be listed among the mentioned drivers for the future institutions, or even serve as an explanation for future approximation among neighbors. Among them, we can highlight the option for federalism and the processes of amalgamation, a term used by the British to regroup administrative and financially distinct territories - without popular consultation.

It is important to consider amalgamation in the processes of regionalism due to the cross-border dimension of peoples, ethnicities and identities, which were separated and grouped during the colonial periods. On the other hand, federalism or the conformation of almost federal entities (BACH, 2016), an option adopted mainly by England and France as a form of colonial organization, gave rise to regional groupings in the East (East Africa High Commission Territory), Central (Central African Federation, French Equatorial Africa Federation), and West Africa (French West African Federation and the Federation of Nigeria).

As a consequence of such arrangements, the basis for regional projects is fostered. The southern grouping gives rise to the oldest economic integration process in the world, the Southern African Customs Union (SACU), established in 1910 and renewed in 1969, after the independence of Botswana, South Africa, Swaziland, Lesotho and Namibia (added in 1990).

On the other hand, the federated territories that belonged to France had their own currency, which established the basis for the formation, after decolonization, of two independent monetary unions that have the CFA Franc as their currency: the West African Economic and Monetary Union (WAEMU) 1975 and the Central African Economic and Monetary Community (CEMAC), which started as the Central African Customs and Economic Union (UDEAC) in 1964.

Such organizational choices are also important for the present study because of different influences transmitted to the existing blocs in the current scenario of African regionalism. First, the federal option favored interaction and interdependence in the sustenance of the colonies, from the time when the richer territories took on the costs of the poorest by building links between them that are not easily abandoned after decolonization. Thus, federalism also presented itself as an alternative form to the total independence of some colonies (BACH, 2016), fomenting future connections. In this way, ways are paved for the maintenance of pre-existing agreements.

Figure 5 - Scramble for Africa



Source: WARD, A.; PROTHERO, G. W.; LEATHES, S.; BENIANS, E., 1912.

Secondly, in addition to the linkages created between countries and metropolises, it can also be said that because of amalgamation, ethnic and cultural groups have often become

cross-border, facilitating integration from the values of elites, as neo-functionalists as Haas (1958) have proposed. As a consequence of these interdependence factors, since decolonization, what used to be common intra-colonial services have been transformed into ROs for the coordination and maintenance of specific functional tasks. However, the new independent states longing for greater autonomy weakened the available institutions.

2.4.2 Pan-Africanism versus post-colonial sub-regionalism

After the independence of the African nations, visions coexisted as to how the continent should be organized, with divisions ranging from sub-Saharan “Black Africa” and the Arab “White Africa” of the North; post-colonial subcontinental Africa; to the organic proposal of the United Nations; to continental pan-Africanism. The various divisions are usually accompanied by regional processes that follow them, and which often do not consider the pre-existing dynamics, competing directly with the proposals of regionalism in force, encouraging the construction of the overlapping scenarios.

Post-World War II, the ideal of Pan-Africanism was of essential importance, since it preached the construction of a continental identity in opposition to colonialism. It was a movement initiated in the diaspora, mainly among black Americans and minorities in Europe, as a resource against colonial power and its legacy of slavery, alienation and domination (apartheid) (HARTMANN, 2016a).

In view of these propositions, the Organization of African Unity (OAU) was created in 1963, and in 2002 became the African Union (AU), the most comprehensive of the regional processes, currently composed of all 55 countries in the continent. The creation of the bloc affirmed the African solidarity and the liberation of African states from colonialism.

At that time, ideas co-existed that discussed the maintenance of borders or the creation of a federal entity, the *United States of Africa*, which was widely propagated by Ghana's first President, Kwame Nkrumah, and later served as inspiration for other generations (HARTMANN, 2016a). However, in view of the fragility of post-independence states, as Bach (2016) points out, Pan-African unity was relegated to a distant and indefinite future, stating: “the path towards African unity was, in essence, about an imagined region where regionalism was allowed to prosper provided it would not translate into effective integration”.

Hartmann (2016a) further emphasizes that the main objectives of the OAU were political, considering the fragility of the borders, acting in a way to avoid violent conflicts between its members, not promoting the economic integration of the states. Thus, the African

sub-regional vision, also influenced by the aforementioned postcolonial interdependence, gained space to thrive in the 1960s and 1970s by proposing various projects for the region's economic development.

Another factor that contributed to the different interpretations of the African continent was the creation, during the 1960s, of the United Nations Economic Commission for Africa (UNECA), which proposed dividing the continent into five regions: North, South, East, West and Central, in order to promote the development of countries.

Thus, some ROs are created, such as the aforementioned UDEAC in 1964, the East African Community (EAC) in 1967, the Mano River Union (MRU) in 1971, the also mentioned WAEMU and the Economic Community of West African States (ECOWAS) in 1975 and the Economic Community of Great Lakes Countries (CEPGL) in 1976.

2.4.3 The not-so-new “New regionalism”

While the literature agreed to affirm the existence of a new wave of regionalism, influenced by the neo-liberal ideas of the advent of globalization, from the 1980s and 1990s, African behavior in institution-building differed. According to Bach (2016) there would be no such new aspects because “as neoliberal integration gained traction in the Americas, the EU featured instead as an attractive substitute to the then discredited capitalist model in Latin America”.

In addition, the author highlights the influence of developmentalist thinking and Latin American cepalism of the previous period, in the proposals for Africa in this period. For example, in 1980, the Lagos Action Plan was launched, which proposed internal development, industrialization and import substitution, with a more protectionist proposal, as did the developmental regionalism.

The Lagos Action Plan is a milestone in the creation of institutions and a continental strategy, as it enables the cooperation and coexistence of the sub-regional blocs, by proposing their strengthening and the coordination and harmonization of strategies. Bach also points out that during this period political factors influenced the formation of institutions, such as the need to consolidate regimes; the use of regional forums such as diplomatic clubs; and patronage, or the inspired creation for fundraising from external donors.

In this period, regional agreements are reached such as the Southern African Development Coordination Conference (SADCC), in 1980, which in 1992 became the Southern African Development Community (SADC); the 1981 Eastern and Southern Africa

Preferential Trade Agreement, the predecessor of the 1993 became the Common Market for Eastern and Southern Africa (COMESA); the Economic Community of Central African States (ECCAS), of 1983, which sought to bring together UDEAC and CEPGL in central Africa; the Indian Ocean Commission (IOC), 1982; the 1986 Intergovernmental Authority on Development (IGAD), whose initial objectives were to overcome drought and desertification in East Africa; and the Arab Maghreb Union (AMU) in 1989.

2.4.4 African Union Era

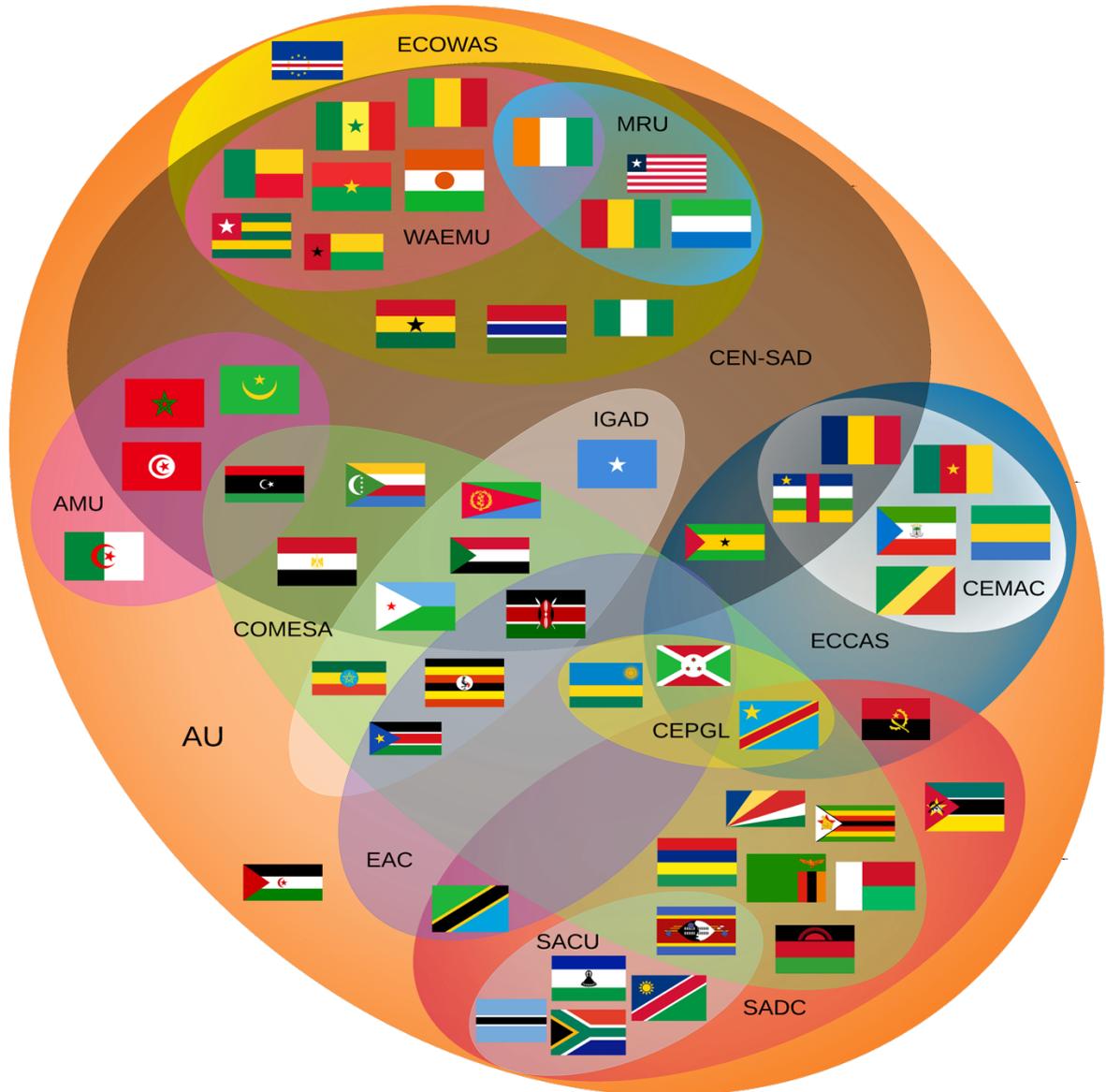
In the 1990s, pan-Africanism was renewed and revived, much from the successes of the OAU in establishing itself as a voice in the region. However, it innovates by proposing in 1991 the Abuja Treaty establishing the African Economic Community (AEC) to be completed by 2028 and stresses the need to promote the interactions of sub-regional blocs for the promotion of the continental purpose. The convergence between the OAU and AEC gives rise to the African Union (AU), in 2002, based on European experience, with competences that extend to various spheres of African politics, as well as providing bases for sub-regional mechanisms and pan-Africanism.

The new Pan-African proposal strengthened gradual sub-regional integration and encouraged the creation of new blocs where such sub-regional mechanisms did not exist so that all sub-regions were represented and integrated. Thus, the Community of Sahel-Saharan States is created in 1998 (CEN-SAD); and the EAC, established in 1967 and extinguished in 1977, is relaunched in 2000 to represent East Africa.

Thus, the various sub-regional projects were developed individually, with different purposes and structures, forming the so-called Regional Economic Communities (RECs). Given the multiplicity of regional agreements, in July 2006, the Assembly of Heads of State and Government of the African Union, meeting at its seventh Ordinary Session, agreed to abide by the recommendation of the first Conference of African Ministers of Integration and rationalize the number of RECs.

Rationalization meant the recognition by the African Union of a number of sub-regional blocs whose policies should be worked in a harmonious way that would form part of its strategy for the consolidation of AEC. These selected ROs are now understood as building blocs, or pillars for the AU, and its selection criteria was given to cover the largest number of member states and sub-regions, avoiding excessive repetition of affiliations, regions and purposes.

Figure 6 - Overlapping regional mechanisms in Africa



Source: author's elaboration

The relationship between the RECs and the AU is governed by the Abuja Treaty, by the AU Constitutive Act and is guided by the Protocol of Relations between the RECs and the AU of 2008. As we have mentioned on the previous chapter, 8 are the RECs recognized by the AU, namely:

- Arab Maghreb Union (AMU)
- Community of Sahel-Saharan States (CEN-SAD)
- Common Market for Eastern and Southern Africa (COMESA)
- East African Community (EAC)

- Economic Community of Central African States (ECCAS)
- Economic Community of West African States (ECOWAS)
- Intergovernmental Authority on Development (IGAD)
- Southern African Development Community (SADC)

Of the 55 countries on the African continent, 40 are members of more than one REC, 8 countries are members of 3, 14 are members of one and only the Sahrawi Arab Democratic Republic (a partially recognized state) is not a member of any REC, as shown in the figures above. It should be noted however that the recognition of RECs did not mean the extinction of other regional initiatives in Africa nor the impossibility of creating new projects. It also does not mean that among the RECs themselves there are no conflicts of interest or overlappings. Nonetheless, the continent's efforts to articulate its relations is visible, using the AU as comprehensive “umbrella” organization. Such efforts are reflected in the growing coordination among AU members on issues that extrapolate to the economic ones of their RECs, such as peace, security, development, and therefore the joint pursuit of regional governance.

2.5 Analysis and mapping of organizations: partial considerations

The mapping of the institutional development of the two regions allows the elaboration of considerations about the drivers, periods of regionalism, and overlapping scenarios. In Latin America (or South America for its effects), it is possible to perceive the presence of an external hegemon as driver, considering the participation of the United States by inclusion, or exclusion. This consideration is important when we consider how countries will choose to instrumentalize ROs, explaining organizational behaviors including or excluding a hegemon. In addition, it can be said that the proposal to achieve development and overcome the conditions of underdevelopment act as strong motivators for institution building, as well as the presence of leaderships, such as the Brazilian in UNASUR or the Venezuelan in ALBA.

Another important consideration is the impact of the “waves of regionalism” as motivating moments for the creation and re-launching of blocs. Moreover, the region develops an exclusive period with the categorization of post-hegemonic regionalism and the effervescence of projects.

The African case is deeply segmented in different organizations, similarly to the South

American. In contemporary regionalism, however, unlike the case found in Latin America, several of its processes have had as drivers the existence of previous colonial arrangements and integrative associations initiated since the beginning of the twentieth century. Thus, in addition to the economic drivers for integration and overcoming the poverty condition, political and cultural identity factors arising from colonization are added to the development of regional mechanisms.

Another interesting driver on the African continent is the perception about the region. Pan-Africanism has guided the creation of institutions in two different moments, in the 1960s and in the 2000s, and still exerts a pressure for the continuity and enhancement of integration. As Fioramonti and Mattheis (2016, p. 684) underscore Pan-Africanism defines the African region as geographically consistent as, “possibly no other region in the world shows such a deep-rooted continental identity as Africa. Common languages, cross-border connections make the continent’s national delineations extremely porous”.

When we consider the ROs that are currently in force, what should be highlighted is the discontinuity in the proliferation of African organizations. Thus, to think of a moment of post-hegemonic regionalism, as a moment of institutional effervescence in Africa would not be correct, especially considering that institution-building stabilizes with the promotion and organization of RECs from the 1980s. What happens then is the restructuring and re-launch of these RECs, mostly in the 1990s, to meet the objectives proposed by the Lagos Plan and the Abuja Treaty.

In the African case, one can also perceive the participation of existing organizations in the creation of new ones as a driver, a factor that proposes the consideration of a greater possibility of cooperation between them. In all cases, it is also noticeable that the ideologies present in the region helped to shape the design and objectives of the organizations created, regarding their mandates and institutionality.

With regard to the theoretical contributions of drivers, therefore, they help on the understanding of the existing configurations, starting from the factors that influenced the region-building. As a part of the global South, the creation of ROs was understood in both regions as an alternative to the pursuit of development, which presents results when we consider the difficulty or the no-interest of regional configurations in sharing sovereignty, but rather to reinforce the sovereignty of national states.

As for the waves of regionalism and traditional theories of integration that are often derived from European studies and applied to other regions, the development of the regions under study presents strong confrontations when specifically studying the formation of

regional settings and its overlappings. The demonstrated overlapping scenarios are complex with interesting and particular features for consideration of their effects. This is because in the case of Africa, for example, the AU is an “umbrella” organization, which intends to organize sub-regions for integrated development and which could therefore act in the cohesion and cooperation between processes, top-down. In the case of Latin America, UNASUR, although it encompasses sub-regional processes in South America, was created posteriorly to those and did not have the umbrella or connector characteristics, considering its interactions with the processes that occur and compete outside of the sub-region.

Finally, regarding the tendency of one or other driver to produce more overlaps, although we do not intend to quantify them (and it would not be a simple task), something that can be perceived is the influence of the actions of states, ROs and even international organizations such as the ECLAC or UNECA, in the promotion of the institutionalization of solutions for regional needs, and the diversification of possibilities, through the creation of new arrangements or enlargements/updates of existing ones. Thus, it becomes clear the importance of understanding history as a determining factor to the configuration of overlapping scenarios and its’ influences on how actors will choose to perform (or not), through the existing institutional channels.

3 OVERLAPPING ORGANIZATIONS AND POLITICAL CRISES IN AFRICA

On the last chapter, we have presented the evolution of the creation of ROs in Africa and South America. This was a relevant step to enhance comprehension on intervening factors that affect the relationship between regional overlapping institutions. It not only presented a complex scenario that needs to be kept in mind when dealing with these organizations, but also helps to understand limitations in scope and action that might be derived from their historical composition.

On this chapter, we start to introduce the cases to be analyzed, focusing on the African continent. As previously stated on the first chapter, we chose as relevant cases of analysis the response of regional organizations when dealing with the occurrence of political crises, considering that it fills the scope conditions of propelling an interaction between institutions, both theoretically as it generates pressure on normative fields and invokes obligations; and empirically as those situations suggest divergent interpretations.

Differently from the South American case, where works by Nolte, Weiffen and Closa, Palestini and Ortiz (CLOSA; PALESTINI; ORTIZ, 2016; WEIFFEN, 2017; NOLTE, 2018) have compiled the democratic breaches and presented the different ROs' responses, there is not yet in the literature a systematization of cases of interplay between institutions in the face of political crises of Africa. Notedly, there is a scarcity of discussions of the concept of "overlapping regionalism" in the African continent, since it has been studied under different regional angles. Nonetheless, literature has been very fruitful in the past years analyzing African ROs, especially on case specific production, as we present below.

In order to select the cases presented in this thesis, we conducted a survey of political crises and coups in the 55 AU member states. As the results provided a large number of incidents, a cut was made to expose the ones that occurred since the establishment of the African Union's normative provisions that created the institutional mandate to intervene on such crises. Therefore, we singled the framework on Unconstitutional Changes of Government (UCGs) as a mandate departing point due to its crescent relevance both to the AU's action and to the case specific literature.

Not all crisis and conflicts on the African continent have corresponded to UCGs but most importantly, not all incidents passible of this categorization have been interpreted or labeled as UCGs by the competent ROs, as we will further analyze, and to which we draw a line. Due to the mentioned lack of systemization of said cases and of the ROs responses on secondary material, data collection for this chapter included, in addition to the prominent case

specific literature and reports from think tanks and research institutions such as the Institute for Security Studies (ISSAfrica) and the International Crisis Group, ROs' document analysis, discussions with researchers of the field, interviews with AU officials, and research of journalistic material about the events.

The period and scope of analysis were then chosen in order to enable the analysis of how the AU and RECs respond to political crises and whether there would be differences between RECs in their regional role. Therefore, on scope, we focus only on the cases treated as UCGs that have evoked the regional formal instruments on the matter. Regarding the African region, the period thus comprehends the years from the establishment of the African Union policy on UCGs' instruments from 2004, the year the Peace and Security Council enters into force, until 2017, the final year of data collection for this research.

As this delimitation has also presented a high number of cases as seen on table 2 below (p.50), the analysis was once again limited to address such situations that have reportedly produced more regional responses, with the objective to have all subregions and RECs represented. The delimitation of cases that produced more responses was made through interviews with African Union employees and academic experts, besides through the use of secondary materials.

In addition, research demonstrated that some RECs either behave more actively than others in general or have a better developed normative framework to treat political crises and therefore have been more distinguished. A good example would be the greater availability of information about the performance of ECOWAS in West Africa, which serves as evidence of its prominent role as a sub-regional actor. As a result, when addressing cases, even if we chose a number of countries that covered memberships for all of the RECs, considering overlapping memberships, we could not guarantee the analysis of performance of these ROs, since either the more prominent ones would take the lead negotiating the conflict, or the cases would present silent or passive RECs.

All of the mentioned practical constraints have thus had implications on case selection, which was finally limited to: cover different African sub-regional organizations' relationship with the AU, through relevant sample cases that fit the scope conditions. More active RECs and subregions are given special attention, as their analysis is more fruitful to the research's purpose, while passive or non-active ones are not disregarded when their action or lack

thereof is pertinent⁸.

Table 2- Compilation of events treated by the AU and the RECs as UCGs after the establishment of the legal instruments 2004-2017:

Year	Country	Sub-region
2005	Togo	West
2005	Mauritania	West/North
2008	Mauritania	West/North
2008	Guinea Bissau	West
2008	Guinea Conakry	West
2009	Madagascar	South
2010	Niger	West
2010	Côte d'Ivoire	West
2012	Guinea Bissau	West
2012	Mali	West
2013	Central African Republic	Central
2013	Egypt	North
2014	Burkina Faso	West
2017	Gambia	West

Source: author's compilation

In this chapter, as well as in the next South American chapter, the first step taken in order to understand how the ROs deal with political crises and what their reactions and interactions could be, is to cover different aspects of what shapes a case in this region. Thus, to establish the framework, in the next section we start by addressing what are the norms developed in the African country, regarding political crises and UCGs. This section is focused on the continental norms of the AU and aims to answer a few questions before case analysis:

- 1- What are the norms that define the need of action in the case of a political crisis?
- 2- In what context were these norms created?
- 3- What are the procedures that follow once a case is identified?

Considering that each REC might as well have established norms, the chapter advances into the following sessions, that aim to cover different sub-regions. To each sub-region addressed, we consider the normative provisions established by the RECs, and then advance to

⁸ The list provided on Table 2 may be non-exhaustive as some sources also consider as political crises a range of events such as attempted coups or other types of security crises, as peacekeeping and peacebuilding operations. However, the focus given on this elaboration were the cases directly addressed by the AU as UCGs through mediation, sanction, and/or intervention. Even some coups d'état, such as the crisis in Lesotho in 2017, were not targeted as UCGs and therefore are not part of the list. Cases solved internally or passed with warnings were thus also not considered as they are more frequent and do not contribute for research delimitation.

empirical data provided by the cases. The UCGs events are addressed not in an in-depth form of country study, but as instruments to exemplify and study sub-regionally the reactions of the involved international structures on the cases, focusing on the organizational behaviors as a result of the overlapping competencies.

3.1 The African Union and Unconstitutional Changes of Government

As we have previously mentioned, the African continent has developed a normative framework of its own to address political crises, but more than that, has practically coined the term “unconstitutional changes of government” on its legal documents. The need to label such phenomenon reflects the underlying conditions of the region which has greatly suffered through its democratization process.

On the last chapter, we presented the creation of the Organization of African Unity (OAU) in 1963 as a result of the continent’s independence process. While in many aspects, the OAU represented a voice for liberation and anticolonialism in the region, differently from other processes in the world⁹, it was not built as a voice for democracy promotion and protection in its beginnings. As Souaré (2009, p.8) points out, “the only condition for membership was to be African and committed to African liberation and independence”, and, the principles of multiparty democracy “were therefore formulated when the group had already been constituted”. In fact, the literature has often referred to the OAU on its initial stages as a “dictators’ club”¹⁰.

The democratic concern gained awareness in Africa towards the end of the 1980s, with the culmination of the Cold War and the advent of globalization. The so-called “victory of the west” increased the relevance of international institutions and the diffusion of standards such as the idea that democracy would foment the peace, which gave way to what Huntington called “third wave of democratization” (HUNTINGTON, 1991 *apud* DERSSO, 2017). As Dersso (2017, p. 641) states, from this moment on, the promotion and defense of the democratic system of government became for multiple western countries a foreign policy component and an important area of engagement of international organizations. The author also

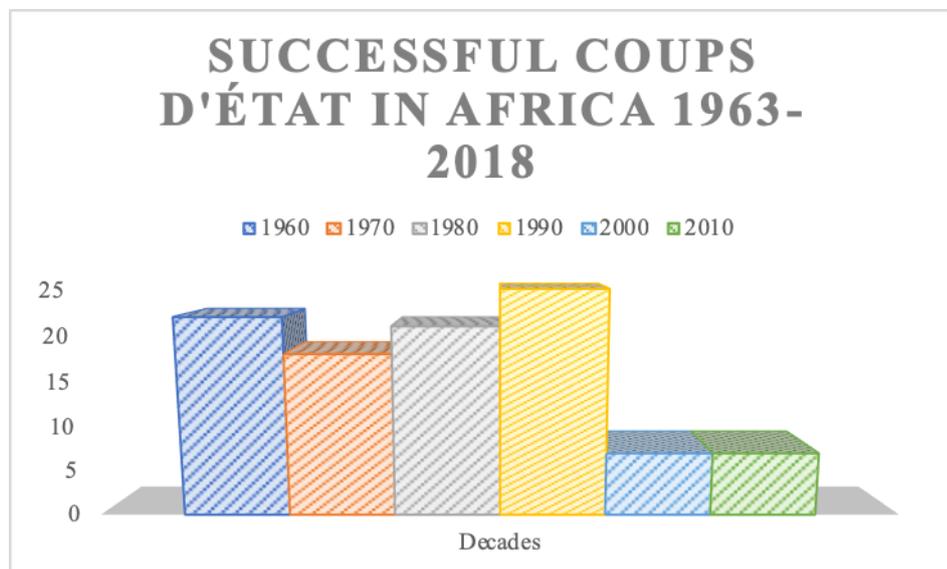
⁹ As an example, the European Union’s Maastricht Treaty establishes democracy as a pre-condition for membership, which was not the case in the African continent.

¹⁰ The designation of a dictator’s club appeared on several documents and academic articles over the years as a reference to the undemocratic founding fathers of the OUA. Upon the relaunch of the AU, on July 8, 2002, BBC’s headline for the news also stated, “African Union replaces dictators’ club”. BBC. “African Union replaces dictators’ club”. London, July 8, 2002. Available at: <<http://news.bbc.co.uk/2/hi/africa/2115736.stm>>

presents data based on Bratton and van de Walle (1997), affirming that “while in 1989 ‘29 African countries were governed under some kind of single-party constitution, and one party-rule seemed entrenched as the modal form of governance’, by 1994 ‘not a single de jure one-party state remained’”.

The understanding of this context is very relevant as we consider the situation of the African continent’s democracy and political transitions up until this period. According to the data gathered by the African Leadership Transitions Tracker (SONGWE, 2019), since the creation of the OAU in 1963, the continent has witnessed at least one hundred successful coups d’état in almost six decades (see appendix A for detail). The graph below shows that even if the highest number of coups occurred in the 1960s, that can be explained by the fact that most of the countries were gaining their independence. However, in the 1980s and 1990s, the continent goes through a high number of coups again, reflecting the pressure of democratization and multiparty elections in Africa and affirming that even if the implementation of democracy in the continent was happening fast paced, it was not without occurrences.

Figure 7 - Successful Coups d’État in Africa 1963-2018



Source: author’s compilation based on SONGWE, 2019.

It should be noted that the data presented above, which is already alarming, is considering only successful coups. Other incidents such as attempted coups, civil wars, conflict and electoral or corruption related violence have also marked the African history, and those, combined with the international conjuncture and the mentioned high number of coups, have generated normative pressures for the international organizations in the region to take a stand

against such violations and provide measures to prevent and deal with them. In fact, Souaré (2009, p.4) points out that prior to 1990, “most African rulers left office through a military coup, political assassination, or some other forms of violent overthrow” and “virtually none left power after losing elections, although some retired voluntarily”.

Therefore, the positioning of regional organizations towards the end of the 1990s on is especially interesting as it marks a gradual shift that the literature has marked as from “non-intervention to non-indifference” (ENGEL, 2012), and the strengthening of the ideal of “African solutions for African problems”¹¹. The 1997 coup d’état in Sierra Leone and its repercussions after a long process of peacebuilding in the country prompted the first milestone¹² on the OAU positioning against democratic violations, (SOUARÉ, 2009; ENGEL, 2012). Just days after the coup occurred, African leaders were reunited in Harare, Zimbabwe, for 33rd summit of the OAU, and jointly rejected and condemned any form of unconstitutional change of government (OUA, 1997; SOUARÉ, 2009), starting then to pave the legal framework for UCGs.

3.1.1 Normative Provisions on UCGs

The commitment reached in 1997 and the fear that coups were “resurging” in Africa¹³ led the Council of Ministers of the OAU to deliver a Decision on UCGs in 1999 (CM/Dec.483 LXX, 1999), whose developments led to the adoption of the “Declaration on the Framework for an OAU Response to Unconstitutional Changes of Government” by the

¹¹ ISS (2008) clarifies that “The catchall phrase “African solutions to African problems” was coined by the eminent political economist George Ayittey in response to the behavior of the international community in the crisis in Somalia. Since then the phrase acquired a degree of autonomy. The author advocates what he calls ownership of solutions i.e. if you formulate your own solutions to your problems, you would have every reason and incentive to see them work. External or foreign solutions were not viable in Africa since they were either “imported” or “dictated” to Africans. Therefore, Africans would not own those solutions. In a nutshell the notion of “African solutions to African problems” implies that this is the time for Africans to take things into their own hands and make use of their resources to solve Africa’s troubles”. ISS. African Solutions to African Problems. 18 September 2008. Available at: <<https://issafrica.org/iss-today/african-solutions-to-african-problems>>.

¹² Related measures started being adopted in the 1980s and early 1990s as the OAU Charter on Human and People’s Rights in 1981; and the OAU Mechanism for Conflict Prevention, Management and Resolution, in 1993, but it was the end of the decade that established a firm position specifically on UCGs.

¹³ The word “resurgence” of coup d’états can be seen in different official documents of the AU from the late 1990s on, but in 2009 an official “Decision on the Resurgence of the Scourge of Coups d’état in Africa” was adopted by the Commission, taking a stand against the issue. Cf. Assembly/AU/Dec.220(XII), Addis Ababa, 1-3 February 2009.

Assembly on the 36th Ordinary Session of the OAU in July, 2000 (AHG/Decl.5 XXXVI). This document became known as the Lomé Declaration, the first firm legal instrument posed by the bloc on the matter. The African leaders at the occasion affirmed:

We express our grave concern about the resurgence of coup d'état in Africa. We recognize that these developments are a threat to peace and security of the Continent, and they constitute a very disturbing trend and serious setback to the ongoing process of democratization in the Continent. We reaffirm that coups are sad and unacceptable developments in our Continent, coming at a time when our people have committed themselves to respect of the rule of law based on peoples will expressed through the ballot and not the bullet (OAU, Lomé Declaration, 2000).

The Lomé Declaration is very important as it defines what will be considered as an unconstitutional change of government, details what are the measures that should be taken in order to respond to these occasions and outlines an implementation mechanism (ENGEL, 2010). According to the Declaration, should be considered as UCGs:

- military coup d'état against a democratically elected Government;
- intervention by mercenaries to replace a democratically elected Government;
- replacement of democratically elected Governments by armed dissident groups and rebel movements;
- the refusal by an incumbent government to relinquish power to the winning party after free, fair and regular elections (OAU, 2000).

The normative framework goes on to indicate that once an UCG was identified, the Chairman of the OAU and its Secretary General should immediately and publicly condemn the occurrence and convey a warning to the perpetrators that their illegal action will not be tolerated or recognized by the OAU, under any circumstance. Following the condemnation, the perpetrators of the UCG should be given a period of six months to restore the constitutional order, a period in which the member state concerned should be suspended from participating in the Policy Organs, but not have their memberships suspended (therefore being still obligated to keep their financial contributions to the bloc's budget).

Throughout this period, the Secretary-General should compile facts and establish a dialogue with the perpetrators in order to ascertain "their intentions regarding the restoration of constitutional order in the country", (OAU, 2000) while seeking the contribution of other African leaders to pressure the perpetrators to get them to cooperate with the OAU and to restore the constitutional order. The sanctions could include, besides the mentioned suspensions, "visa denials for the perpetrators of an unconstitutional change, restrictions of government-to-

government contacts, trade restrictions, etc.” (OAU, 2000), with the concern that the ordinary citizens of the conflictive country did not suffer disproportionately after the punishments.

Engel (2012, p.9) traces other relevant instruments that guided the understanding of UCGs in Africa: the AU Constitutive Act (2000); the Protocol Relating to the Establishment of the Peace and Security Council (2002); and the African Charter on Democracy, Elections and Governance (2007).

The “Declaration on the Framework for an OAU Response to Unconstitutional Changes of Government” was not the only relevant document signed at the Lomé Summit in 2000. At the same meeting, the Constitutive Act of the African Union was adopted, enhancing the comprehension that the concern about democracy protection and promotion was also present on the transition of the OAU to the African Union.

The Constitutive Act followed the renewal of the Pan-Africanist aspirations in the 1990s that led to the adoption of the 1999 Sirte Declaration, which called for the establishment of the Union, and preceded the launch of the AU in Durban in 2002. The normative is relevant for this study as it endorses the developments against UCGs while it prescribes the principles to guide the Union in its article 4, supporting the “condemnation and rejection of unconstitutional changes of governments”, and in its article 30 proposes the sanctioning of member states: “Governments which shall come to power through unconstitutional means shall not be allowed to participate in the activities of the Union” (AU, 2000).

In 2002, the Peace and Security Council (PSC) of the African Union was created, following a decision to incorporate to the structure of the newly founded AU the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution (MCPMR), created in 1993. The PSC founding document established that it would stand as a “decision-making organ for the prevention, management and resolution of conflicts” through a “collective security and early-warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa” (AU, 2002).

Throughout the document, the Protocol details how, in conjunction with the AU Commission and Chairperson, the PSC is entitled to then “institute sanctions whenever an unconstitutional change of Government takes place in a Member State, as provided for in the Lomé Declaration” (AU, 2002, art.7 g). And it once again reinforces the mentioned Declaration as it poses as a condition for participation as a member in the activities of the Council the “respect for constitutional governance, in accordance with the Lomé Declaration, as well as the rule of law and human rights” (AU, 2002, art. 5).

The adoption of not only a legal framework, but of a regional consensus against the disruption of constitutional order is likely to have produced effects on African transitions, as figure 7 (p.62), demonstrates that after the implementation of policies there was a drastic reduction on the number of coups. As Souaré affirms, ‘of the 25 cases of military coups that occurred between 1990 and 2012, 15 happened before the adoption of the Lomé Declaration of July 2000, two between this date and the inauguration of the PSC in May 2004, and a further eight cases from June 2004 and December 2012’. (SOUARÉ, 2014; DERSSO, 2017).

However, Engel (2012, p.10) points out that even if the legal instruments to respond to UCGs were already in place by mid-2002, they were not initially fully implemented. As the author states, not only the 2003 crises in the Central Africa Republic, São Tome and Principe and Guinea Bissau, that happened before the implementation of the PSC “hardly prompted any actions”, but also the 2005 crises in Togo and Mauritania had limited actions, and data on these cases was indeed scarce throughout this research.

Thus, Engel (2012, p.10) then affirms that the AU had a learning curve dealing with UCGs that resulted in the adoption of the “African Charter on Democracy, Elections and Governance” at the 8th Ordinary Summit of the Assembly on 30 January 2007. The Charter expresses as its objective in Chapter II to “prohibit, reject and condemn unconstitutional change of government in any Member State as a serious threat to stability, peace, security and development” (AU, 2007a, art. 2, 4) and dedicates Chapter VIII to specifically address sanctions on UCGs. Furthermore, Chapter III lists the principles that should govern the implementation of norm, which provide for a robust set of actions for the execution of representative democracy.

Besides reinforcing the provisions of the Lomé Declaration, one of the main characteristics of the Charter is that it also presents a *fifth clause* in addition to four available at the definition of UCG affirming that: “any amendment or revision of the constitution or legal instruments which is an infringement on the principles of democratic change of government” (AU 2007a, chapter 8, art.23, 5) will also be considered as an infringement. Through the Charter, the previous normative instruments are polished and adapted to the new set of institutions in place, as the AU replaced the OAU and the PSC also had competencies in conflict management. Declaring the occurrence of an UCG is, according to the Charter, a responsibility of the PSC (art. 25, 1), while the imposition of sanctions would derive from the AU Assembly (art. 25, 6) and their revocation would be concreted by the PSC (art. 26).

As Engel (2009) singles out, the adoption of the charter strengthens the penalties to be applied in cases of UCGs, as it adds the following measures:

- non-participation of the perpetrators of the unconstitutional change in the elections held for the return to the constitutional order and the ban on them from occupying senior positions in the political institutions of their state,
- their trial by the competent bodies of the AU,
- and the possibility for the AU Assembly to apply other forms of sanctions, including economic sanctions (ENGEL, 2010, p.9).

The charter also has an important role on the calling action from other member states of the AU, as four out of ten paragraphs of article 25 deal with the expected behavior of the neighbors (ENGEL, 2012). Moreover, it considers applying sanctions to states that have fomented or supported an UCG in other states (art. 25, 6), and guides the members of the Union to refuse granting asylum to the perpetrators of an UCG, and to cooperate to grant that the legal instruments and procedures will be applied accordingly (art. 25, 8, 9, 10).

Nonetheless, a very slow process of ratification followed the adoption of the Charter, which demonstrates the reticent understanding of the African leaders regarding its very direct provisions on democracy promotion and protection. It only entered into force on February 15th, 2012, five years after its signature¹⁴, a period that was not free of UCGs. While the Charter was not ratified, the AU Commission managed to adopt two decisions that kept the theme in discussion, both in 2009: the “Decision on the Resurgence of the Scourge of Coups d’état in Africa”, from 12th Ordinary Session of the AU Assembly; and the “Decision on the Prevention on Unconstitutional Changes of Government and Strengthening the Capacity of the African Union to Manage Such Situations”, from the 13th Ordinary Session of the AU Assembly (ENGEL, 2012, p.13).

One last normative provision is worth mentioning on this section, despite its non-coercibility. In 2014, the Protocol on Amendments to the Protocol on the Statute of the African Court of Justice and Human Rights was adopted, and its statements criminalize the occurrence of an unconstitutional change of government, giving powers to the Court to try persons for perpetrating an UCG, under art. 28 A and E. The Protocol, that came to be known as the Malabo Protocol follows the creation of the Statute of African Court of Justice and Human Rights in 2008, and when in force, could add a sixth definition to UCG as it also defines as an infringement “any substantial modification to the electoral laws in the last six (6) months before the elections without the consent of the majority of the political actors”. Still, as of Sep-

¹⁴ As of September 2019, 46 out of the 55 countries have signed the charter and 34 have deposited it, the last one being São Tome and Principe in June 2019.

tember 2019, not even the African Court has managed to receive the minimum number of 15 deposits of the legal instrument by its member states for it to enter into force¹⁵.

3.1.2 Provisions on the relationship between the AU and sub-regional groupings

The normative framework provided above brings very important contributions to this study not only on the domains of standards against UCGs, but also on matters of overlapping competencies. Differently from the South American case, where currently no RO has the same prerogative, in Africa the AU intends to function as an umbrella organization at the continental level and calls upon itself the responsibility to coordinate the actions on the region. This particularity is thus also reflected on the legal provisions of the organization, as we discuss below, focusing on the scope of political crises covered by this thesis.

When the 2000 Lomé Declaration defined the regional stand against unconstitutional changes of government, it started envisioning the roles that regional actors should play by affirming that the OAU should “urge for consistency of action at the *bilateral, inter-state, sub-regional and international levels*” (OAU, 2000, emphasis added), and convene, as a matter of urgency to discuss the crisis. More interestingly, it already proposed the cooperation between the continental bloc and the sub-regional groupings, stating that the Secretary General should “enlist the collaboration of the Regional Grouping to which the “country in crisis” belongs” (OAU, 2000). This provision is also strengthened by the following paragraphs of the Declaration, that deal with measures to be taken if the situation is not resolved within the six months period. In this case, to implement a sanction regime, the OAU “should enlist the cooperation of Member States, Regional Groupings and the wider International/Donor Communities” (OAU, 2000).

In its turn, while the 2000 Constitutive Act of the African Union did not regulate the relationship of the AU and other regional sub-groupings in the specific case of UCGs, it included it as a broad objective, in article 3 (l), through the goal to “coordinate and harmonize the policies between the existing and future Regional Economic Communities for the gradual attainment of the objectives of the Union” (AU, 2000).

¹⁵ As of December 2019, 32 out of 55 countries have signed the Protocol on the Statute of the African Court of Justice and Human Rights, but only 7 have deposited it, the last one in February 2019. Regarding the Malabo Protocol, 15 countries have signed it, but none has deposited the instrument, thus adjourning the entering into force of the mechanisms.

Regarding the Peace and Security Council, as we have mentioned before, its creation updates and incorporates the OAU Mechanism for Conflict Prevention, Management and Resolution (MCPMR), which was not indifferent to the existence of other regional associations in Africa. Its provisions already cited the need to cooperate and coordinate activities with the sub-regional groupings in the occasion of conflicts, and the PSC acknowledged on its creation “the contribution of African Regional Mechanisms for Conflict Prevention, Management and Resolution” and reinforced “the need to develop formal coordination and cooperation arrangements between these Regional Mechanisms and the African Union” (AU, 2002).

But the provisions presented are also specially interesting to this study because of their will to regulate the relationship of the PSC with other actors, including the RECs and other sub-regional groupings. These external actors appear while describing the powers of the PSC (art. 7 j) to “promote close harmonization, co-ordination and co-operation between Regional Mechanisms and the Union in the promotion and maintenance of peace, security and stability in Africa”; the procedures on consultations and open meetings (art. 8); the role of the Chairperson, who can call for their action (art.10); modalities for action and entry points into the conflict (art.9); and the functioning of the Early Warning System (art.12). However, it is article 16 that calls attention to the acknowledged multiplicity of actors and of mandates and clearly tries to organize it, as it is titled “Relationship with Regional Mechanisms for Conflict Prevention, Management and Resolution”.

Article 16 declares that the Regional Mechanisms are a part of the security architecture of the Union, but states that the primary responsibility for promoting peace, security and stability in Africa lies in the Union (AU, 2002). The description of activities that follow center the PSC actions under the lead of the AU Commission, asserting that the regional mechanisms will work in close partnership with the Council, but not defining what is the form that such partnerships will take. Even if the intention of the legislator by leaving the provision open ended to provide that the modalities of partnership were “determined by the comparative advantage of each and the prevailing circumstances” (art 16, 1 b), the division of labor remains unclear as procedures are adaptable.

It is worth mentioning the form chosen by the legislator to refer to the sub-regional groupings as “Regional Mechanisms for Conflict Prevention, Management and Resolution”, and not the established pillars of the Union, the “Regional Economic Communities”, and what this choice entails. Firstly, for clarity, we should recall that on the last chapter we described how regional sub-groupings in Africa developed individually, tending to its sub-region’s in-

terests through the years. A major milestone on the organization of these relationships was the proposition of the Abuja Treaty in 1991, which by creating the African Economic Community, proposed that regional sub-groupings should be considered as building blocs or pillars to what became the AU. But not only the economic communities had a regional role on the history of African integration, as some groupings had specific roles on crises management in the past¹⁶.

This recognition is important because it should be noted that at the time the PSC was created in 2002, its prescriptions followed the acknowledgement given by the 1993 MCPMR to the work done by “regional mechanisms”, but they did not directly address the 8 accredited RECs of the AU that we have mentioned before, as their formal and final rationalization is only done in 2006¹⁷, and many of them only had economic mandates. Conversely, given that some of them did have mandates on security issues, or developed their capabilities *ad hoc* the mentioned “regional mechanisms” sometimes overlap with the RECs, as is the case of ECOWAS, and therefore it can be understood that the PSC addresses the RECs *as well as* other sub-regional groupings in those provisions.

The following AU provisions on the development of coordination with the regional mechanisms also confirm this understanding. For instance, the creation of the PSC was succeeded with the African Peace and Security Architecture (APSA) in 2003 and the establishment of the African Standby Force, by which five sub-regional brigades were proposed or recognized¹⁸, increasing the number of groupings that should be coordinated both at the political and operational levels, depending of the crises concern. Brigades were then recognized under the coordination of ECOWAS in the West; SADC in the South; and ECCAS in Central Africa (Force Multinationale de l’Afrique Centrale - FOMAC); and two other brigades, which are not managed by the RECs were created: the East Africa Brigade Coordination Mechanism (EASBRICOM)¹⁹ and the North Africa Regional Capability (NARC).

Furthermore, following the provision of article 16 [9] of the PSC Protocol, a “Memorandum of Understanding on Cooperation in the area of Peace and Security between the Afri-

¹⁶ For instance, ECOWAS members first established a collective armed force in 1990, the Economic Community of West African States Monitoring Group (ECOMOG), which had a very important role at the civil war in Liberia (1989-1996), the crisis in Sierra Leone, 1997, and the Guinea Bissau civil war in 1999. SADC also played a mediator role in 1994 at the Lesotho military coup. For more information on the MCPMR work in the 1990s (MUYANGWA, M.; VOGT, M., 2000).

¹⁷ Cf. Decision on the moratorium on the Recognition of Regional Economic Communities (RECs) DOC. EX.CL/278 (IX). Assembly/AU/Dec.111 – 133 (VII) Assembly/AU/Decl.1 – 4 (VII)

¹⁸ Cf. AU Maputo Report, July 2003.

¹⁹ Current AU documents name the oriental African brigade as East African Standby Force (EASF), as seen in the joint communiqué of the Inaugural Meeting (I) PSC/REC/RMS (AU, 2019).

can Union, the Regional Economic Communities and the Coordinating Mechanisms of the Regional Standby Brigades of Eastern Africa and Northern Africa” (MoU) was signed in 2008 (AU, 2008a), thus supporting the idea that the RECs should too be understood as the Regional Mechanisms mentioned by the PSC Protocol²⁰.

The MoU is one of the most important milestones after the 2006 decision to rationalize the RECs, together with the “Protocol on Relations between the AU and the RECs” (AU, 2007b), signed at the same year²¹. Both 2008 documents reinforce the need to harmonize and coordinate efforts between all regional groups in different policy areas and reinforce the importance of the AU and the continental goals, but the MoU introduces an interesting development as it stresses the principle of *subsidiarity*.

Article IV stresses that the implementation of the MoU should be guided by the “principles of subsidiarity, complementarity and comparative advantage, in order to optimize the partnership between the Union, the RECs and the Coordinating Mechanisms” (AU, 2008). The idea behind subsidiarity is that power is decentralized in different spheres of governance between the national level, sub-regional and continental, favoring the lowest instance practicable as a first resort, except when other spheres show a better advantage²². Therefore, it calls on the member states, the RECs and RMs to act upon the arising of a crisis.

However, it still brings upon the Union the primary responsibility, when article XX stresses, on its “Modalities for interaction” section, that the encouragement for the RECs and RMs to act should be made “[w]ithout prejudice to the primary role of the Union in the promotion and maintenance of peace, security and stability in Africa” (AU 2008, art. XX [1]); and that “[n]othing in this Memorandum shall prevent the Union from taking measures necessary to maintain or restore peace and security anywhere in the continent” (art. XX [5]). It also urges the RECs and RMs to maintain the Commission fully and continuously informed of their actions in order to guarantee the conformity with the interests of the Union (art. XX [2]).

²⁰ It should be noted that accordingly with the broadness of the concept, ever since the adoption of such resolutions, the PSC has enlarged its understanding of “regional mechanisms” to include to the list coordinating mechanisms of other regional brigades, such as the G5-Sahel and Lake Chad Basin Commission in order to suit its necessities. No formal recognition of the new mechanisms was found, nor even a list of what are the regional groupings recognized by the PSC, but the inclusion can be seen through the official documents as the coordinating mechanisms are added and identified as parts of the PSC over the years. See also the joint communiqué of the Inaugural Meeting (I) PSC/REC/RMS (AU, 2019).

²¹ AMU is the only REC that is not a signatory to the Protocol on Relations between the RECs and the AU, cf. <<https://au.int/en/organs/recs>>. All RECs have signed the MoU.

²² The use of the principle of subsidiarity is not an exclusivity of the AU as Møller (2009) highlights that the European Union’s Treaty of Rome; and the United Nations Charter also use of this principle to divide labor between its members and the central organ.

Thus, as Striebinger (2016, p.12) points out, the ambiguity of the combination of the subsidiarity principle and the Union's centralization provisions result that "[i]n a conflict situation, both the AU and the involved REC can therefore legitimately claim to be the focal point in any democracy-creation, protection or promotion activity".

Investigating specifically how the AU PSC actually develops the coordination efforts among the RECs, RMs, and even other international actors, such as the United Nations²³, is not the focus of this thesis, but studying the normative provisions for those interactions brings interesting contributions for the study of expected regional organization's reactions in an overlapping scenario. Conclusively, it can be said that pragmatically, the legal framework and its combination of centralization of powers at the Union with the principle of subsidiarity still leaves the division of labor between the continental and sub-regional levels unclear. Furthermore, it also demonstrates the complexity of interactions as coordination in matters of UCGs often deals directly with two levels of harmonization, both political, as the RECs are sought for support in the directly affected sub-region; and operational, as security threats may also result in the deployment of forces to the field.

Finally, the discussions over harmonization between the AU and the RECs are still a very current issue, as in May 2019 the PSC held the "1st Joint Consultative Meeting Between the Peace and Security Council of the African Union and the Regional Economic Communities/Regional Mechanisms for Conflict Prevention, Management and Resolution (RECS/RMS)", as a "first ever opportunity for the PSC and the RECs/RMs Policy Organs to reflect on issues relating to the harmonization/division of labor on their decision-making processes, enhancement of coordination and strengthening of synergy"²⁴ (AU, 2019b); and in July 2019 the AU held its first coordination meeting on the pursuit of the African Integration Agenda with the recognized regional sub-groupings in Niamey, Niger, with three focus areas: the division of labor between the AU, RECs and AU member states; the first African Regional Integration Report; and the draft protocol amending the 2008 protocol on AU-REC relations (ISS, 2019a). Understanding the timeliness of such matters is extremely pertinent, as we will move on to the analysis of cases that occurred prior to such regional efforts.

²³ The PSC Protocol dedicates article 17 specifically to the coordination of efforts with the UN and other international organizations.

²⁴ In accordance with the PSC Protocol, the RECs and RMs have been meeting periodically to maintain communication and coordination, but the 2019 meeting had the specific task to address the challenges on the division of labor and harmonization of practices.

3.2 Regional and sub-regional responses to UCGs

The decision to treat the African sub-regions separately is derived from the consciousness of their differences in term of presence and absence of strong regional groupings, their normative developments on political crisis and their contexts. Considering its particularities, in order to analyze the effects of overlapping institutions on the RO's behavior, or even how the African Union deals with the multiplicity of organizations, the representation of cases had to be enlarged to avoid the risk of obtaining conclusions from a single sub-region or country.

As we mentioned before, this decision is also derived from the fact that not all Regional Economic Communities have had a leading role on the condemnation of unconstitutional changes of government since the establishment of the normative provisions. This statement would be less a result of the non-existence of crises on these locations and more a reflection of the involved RECs, countries and the AU's actions, as the next sections will demonstrate. Likewise, the different roles played by the political actors have also interfered on data collection, as an asymmetry can be perceived on data access and existence throughout the cases.

An important piece of information was left out of the normative documents when we regard the overlapping RO's at the horizontal level. The analyzed documents presented no specification on how the AU delegates the competence of leading a mediation following an UCG, under the principle of subsidiarity. Thus, if a conflictive country is a member to more than REC, the AU provisions are limited to call the action of all relevant stakeholders in order to restore constitutional conditions.

Interviews with AU officials therefore confirmed that among RECs, at the sub-regional level, is up to the ROs to decide who takes the "driving seat" of the mediation. While some cases could be simpler, with manifestations of support and the use of envoys to accompany missions, this could also lead to competition or the instrumentalization of the multiple regional spaces. These possibilities are highlighted as we move to the next sections to deal with the different African sub-regions, as we identify divergences on results produced at the vertical and horizontal levels of overlapping.

3.2.1 East Africa

Eastern Africa as defined by the United Nations Economic Commission for Africa comprehends the countries of Burundi, Comoros, Democratic Republic of Congo, Djibouti,

Ethiopia, Eritrea, Kenya, Madagascar, Rwanda, Seychelles, Somalia, South Sudan, Tanzania and Uganda (UNECA, 2019a). In terms of regional organizations, the countries of the region are members of different sub-groupings, such as the East African Community (EAC), the Intergovernmental Authority on Development (IGAD), Economic Community of Great Lakes Countries (CEPGL) and the International Conference on the Great Lakes Region (ICGLR), the Indian Ocean Commission (IOC), and the Common Market for Eastern and Southern Africa (COMESA).

Even though some very violent long-lasting conflicts and political crises, i.e. the Somali Civil War (ca. 1980-ongoing); the Rwandan Genocide (1994); and the Eritrean-Ethiopian war (1998-2000, which has since then turned into a border conflict); have devastated the sub-region, following the contents of table 2, p. 60, Eastern Africa has never had a case of Unconstitutional Change of Government treated as so by the African Union since the establishment of the normative provisions. This does not mean, however, that no cases have demanded the AU and the RECs to take a stand and directly deal with the issues contained on the UCGs' provisions.

Thus, two main reasons have led us to include the analysis of the Eastern African region, even if not complying *de jure* with the scope conditions. First, to maintain the criteria of representation, and to cover a different REC's legal framework and composition. But most importantly, because during the interviews conducted with African officials at the AU's headquarters, when dealing with questions such as "do you recall a case situation where there was a clear divergence between the AU and the RECs on an UCG intervention?", the Burundian crisis initiated in 2015 was invariably one top of mind answer.

The case in Burundi is especially interesting because the results demonstrate how the lack of consensus at the sub-regional level can doom the action at the continental level in a long term, even in terms of labeling if a case consisted or not in an unconstitutional change of government. It also represented the East African Community's first opportunity to take the lead at a mediation (NINDORERA, 2016), and showcases interesting opportunities to look at overlapping institutions as it involved the AU, three out of the eight recognized RECs (EAC, ECCAS and COMESA), plus the ICGLR and the UN.

Before dealing with the specifics of the political situation it is important to understand some contextual aspects of the sub-region's lead mediation organization and of the involved country. As we mentioned in the previous chapter, the East African Community was revived in 2000 in order to provide representation to the eastern subregion. It was initially founded by Kenya, Uganda and Tanzania, and later incorporated new members Burundi and Rwanda in

2007 and South Sudan in 2016. Its main objective was to achieve a customs union and a common market to provide economic development to the region. However, as stated by the Crisis Group Africa Report N°278 (2019, p.10), “its economic dynamism starkly contrasts with, and often suffers from, the political turmoil and electoral disputes to which its states regularly fall prey”. Political tensions have also been seen between member states over the past decades, occasioning divisions in two groups and hampering the efficiency of the bloc’s actions (CRISIS..., 2019).

Considering its primarily economic engagement, regarding the normative framework on unconstitutional changes of government, the EAC has no specific provisions on the issue. Its founding Treaty, signed in 2000, and amended in 2006 and 2007, limits itself to address good governance and democracy in its principles (art.6) and to refer to the development and consolidation of democracy and the rule of law as general objectives of the common foreign and security policies (EAC, 2000, art. 123 [3], c). No further legal instruments on the issue were found²⁵. Therefore, the Burundian crisis in 2015 not only presented an unprecedented challenge to the Community, but also one without clear guidelines.

As for Burundi, the country has had constant internal ethnic tensions since its independence from Belgium in 1962 (COCODIA, 2018, p.57), but in 1993 a civil war broke out and lasted until 2005, after successful military interventions from the AU (African Union Mission in Burundi – AMIB), and the UN, which replaced the African coordinated efforts until the end of the conflict. President Pierre Nkuruzinza of the Conseil National pour la Défense de la Démocratie et Forces de Défense de la Démocratie (CNDD-FDD) was the first president appointed after the war in 2005, and he had a main role at the 2015 crisis, as we discuss below.

3.2.1.1 The Burundian crisis, 2015: UCG or not UCG?

In April 2015, President Pierre Nkuruzinza decided to run for a third term, which resulted in great public dissatisfaction, followed by violence and civil instability, multiple protests and armed attacks from both sides. The proposal of running for a third term, besides directly infringing the AU Charter, was considered unconstitutional by the national

²⁵ Hartmann (2016b, p.89), presents similar findings and a hypothesis that “perhaps due to the small size of the organization, the EAC has not developed any policy instruments to actively promote democratization of member states”. The author also supposes the absence of a regional hegemon has had great influence in the lack of coercion in democratic causes.

opposition, which further argued that it violated the Arusha Peace and Reconciliation Agreement of 2000. This former agreement, which ended the 10 year-long Burundian civil war, considered the country's conflicting past, and contained provisions on power sharing that could be harmed by a third term pursuit (CRISIS, ...2019, p.2).

However, there were divergent interpretations, even on the constitutionality of the proposition, as the government argued that Nkuruzinza had been appointed, not elected, and therefore he could run again for the office (CRISIS..., 2016, p.4). On May 5, the issue was brought before the Constitutional Court and deemed valid, albeit in the midst of a scandal involving the escape of the country from one of the magistrates, who alleged to the French press that the Court had been pressured by the government to approve reelection (NINDORERA, 2016, p.5). The court's decision ignited new protests and led to an attempted coup on the 13th of the same month, which although being dissolved by the government the next day, represented a turning moment on the conflict.

The reason why the coup attempt gained relevance is because it happened while Nkuruzinza was out of the country, to participate in an EAC summit, where leaders were discussing the political unrest in Burundi. Notwithstanding political differences among its members at first, up until the attempted coup, EAC's secretariat position was that Nkuruzinza should not run for a third term in order to protect the stability of the country. This view was also backed by the AU, which manifested a strong opinion against the constitution's change²⁶.

However, after the Burundian Constitutional Court's favorable vote and the coup attempt, the EAC found itself in a delicate situation by not being able to delegitimize a decision of the judiciary of one of its members, and to have to stand against the political violence there occurred. This situation also affected the bloc's political balance, as internal divisions between Tanzania and Rwanda²⁷ surfaced on how to proceed (NINDORERA, 2016), which ended up dooming EAC's action.

The disagreements among the member countries of the bloc thus made it difficult to implement the decisions for the Burundian problem. With regard to the involvement of ROs,

²⁶ On the PSC's issued Communiqués and Press Releases of the time, there is a constant call to respect the African Charter on Democracy, Elections and Governance, in a clear reference to the conduct of the polls in Burundi. See also AU PSC Communiqué, PSC/PR/COMM (DI), 28 April 2015.

²⁷ EAC has had internal divisions on economic issues for a couple years. In 2013, disagreements over regional integration issues cleaved the organization, with Kenya, Uganda and Rwanda siding on the progressive side against Tanzania. Burundi was very dependent of Tanzania as a landlocked country and ended up siding with Dar es Salaam. These divisions were sparked again on the Burundian crisis, as Tanzania decided to back Burundi, against strong criticism from Rwanda. Cf. (CRISIS...,2019, p.8).

following the principle of subsidiarity of RECs, the AU delegated mediation of conflict competence to EAC, which, together with COMESA delegates, had accompanied the developments of the case since the beginning of the discussions on the possibility of re-election, still in 2014. The AU then followed the meetings of the EAC on the subject and the PSC had the mission to endorse the actions of the sub-regional bloc (CRISIS...,2016, p.5).

After divisions eroded EAC's consensus following the Constitutional Court's rule, the AU saw itself constrained to claim that the constitution alteration would consist in an UCG without the support of the involved sub-regional blocs, and member states. Since Tanzania was firm in its stand that the EAC "did not have the latitude to act counter to a ruling handed down by the Burundi Constitutional Court, the only body empowered to pass judgment on the question by the basic texts of Burundi" (NINDORERA, 2016, p.6), the Summit held on May was limited to discuss the favorable conditions for the convening of elections. The recommendations made included the postponement of the elections, and were backed up by the UN, the AU, and ICGLR, who had representatives accompanying the EAC Summit (NINDORERA, 2016, p.7).

Despite the AU and the EAC's recommendations to postpone the polls, the elections were then held in June. The AU was very clear on its stand, as it refused to send an observation mission to Burundi, an unprecedented decision, affirming that conditions for free and fair elections were absent²⁸. Notwithstanding, Nkuruzinza won for his third term, and the conflicts continued to demand the attention of the regional blocs due to the installed political and humanitarian crisis²⁹.

As a response and following EAC's gained legitimacy as the subsidiary REC responsible for mediating the conflict with special envoys from other regional organizations, the sub-regional bloc established in July 2015 the Inter-Burundi Dialogue, with Uganda's president Museveni as mediator, and later former Tanzanian president Mkapa as facilitator. The International Crisis Group 2019 Report stresses that "[t]he EAC was not equipped for the task, however. It is first and foremost a forum for economic integration, and as such had no

²⁸ See AU Communiqué of the Chairperson of the Commission, "The African Union reiterates the imperative need for dialogue and consensus for a lasting solution to the crisis in Burundi and announces that it will not observe the elections scheduled for 29 June 2015". Addis Ababa, 28 June 2015.

²⁹ 2019 data affirms that since 2015, the political unrest in Burundi has led to a refugee crisis, which peaked with around 430.000 nationals in exile: "2017 End of Year Report, Operation: Burundi", UN High Commissioner for Refugees, 4 July 2018 (CRISIS...,2019, p.1). This situation is a result of the deteriorating economic condition, civil violence and political persecution, that is yet to be overcome.

experience or expertise in complex political mediation”. (INTERNATIONAL..., 2019, p.I).

The absence of a clear labor division between the AU and the EAC corroborated the scenario where the continental organization had its actions tied, also because of the differences of opinion among the member states of the African continental bloc, which allowed the Burundi government to instrumentalize the blocs (INTERNATIONAL..., 2016, p.10). Thus, when the EAC mediation was running slow the AU was limited to express concern and endorse the sub-continental grouping’s initiatives.

Nevertheless, in December 2015, the violence in Burundi intensified and the AU’s PSC decided to issue “a communiqué authorizing a 5,000-strong African Prevention and Protection Mission (MAPROBU) to prevent deterioration of security, protect civilians and help create conditions needed for a credible Inter-Burundian dialogue”³⁰ (INTERNATIONAL..., 2016, p.6). The PSC gave Burundi 96 hours to accept, and if the country did not, the council would recommend that the Assembly of Heads of State and Government invoked Article 4(h) of the Constitutive Act, which allows intervention in grave cases, such as war crimes and crimes against humanity.

The PSC move was immediately rejected by Burundi, which refused to receive the peace mission and gained support from several countries. The measure was also not approved at the AU Summit, showcasing differences between the PSC and the AU Assembly. Consequently, the ultimatum of the bloc failed, and negotiations continued under the EAC’s capabilities, which were already limited, but became compromised when, in 2016, a Nkurunziza loyalist Libérat Mfumukeko was chosen as the bloc’s secretary general (CRISIS ..., 2016, p.I).

Results:

The political unrest in Burundi has not yet ceased as of 2019. Negotiations lost force over the years, with the country refusing to fully participate in the Inter-Burundi Dialogue (INTERNATIONAL..., 2019, p.19). More importantly, as the political scenario progressed, with a weakened international mediation, the Nkuruzinza government was able to alter the constitution once again in 2018 through a referendum³¹ without suffering due sanctions from the AU or the EAC.

The reason why we present these further developments is because the case of Burundi

³⁰ Cf. AU PSC communiqué, PSC/PR/COMM.(DLVX), 17 December 2015.

³¹ The new amendments were very polemic as they could enable Nkurunziza to stay in power after the 2020 elections and affected the ethnical representation quotas. See also ANI, N. C. The AU should take a stand on Burundi’s constitutional review. ISS Today. 19 March 2018 Available at <<https://issafrica.org/iss-today/the-au-should-take-a-stand-on-burundis-constitutional-review>>.

demonstrates long term impacts derived from the conflictive regional intervention, which limited by the overlapping mandates and the absence of a labor division. Finally, the lack of consensus between member states in both continental and sub-regional organizations ended up hampering the performance of the AU.

As a result, when faced with the gaps caused by the different opinions, the Nkuruzinza government gained the support of the EAC by choosing a new general secretary for the bloc close to the president, and undermined the AU's role by securing substantial support, such as that of the President of South Africa, advocating EAC's right to continue mediation (CRISIS ..., 2016).

Something interesting in this case is the fact that the EAC is not the only sub-regional organization of which Burundi is a part of. Therefore, regarding horizontal overlapping institutions, both the reports prepared by the research institutions and the PSC Reports mention that during the mediation process, the COMESA the UN and the ICGLR sent delegates to observe negotiations. As for the ECCAS' action during the conflict, only the PSC's Reports affirm that the bloc's May 2015 Summit has condemned the attempted coup d'état and urged the parties to dialogue, besides deciding to appoint a Special Envoy to support the sub-regional and international initiatives³².

Hence, we perceived no major divergences at the horizontal sub-regional level, reinforcing the fact that the legitimacy of the intervention was under the responsibility of the EAC. The conflicts of action were then concentrated between the AU and the EAC, since the sub-regional bloc acted as a veto player and its lack of consensus was also used to erode the cohesion of the continental bloc. Crisis Group Africa Briefing n° 122, of 2016 also stated that “[e]arly attempts at collective action, such as initial cooperation between the AU and EAC [...] were short lived, leaving each appearing to defend its own role or trying to carve out space at the expense of a competitor (INTERNATIONAL..., 2019, p. 13). In addition, the member states divergent opinions made possible the strategic positioning of the conflicted country before the regional mechanisms, which alluded to forum shopping by favoring the EAC's action in order to prevent the intervention of the AU.

3.2.2 West Africa

³² Cf. Report of the Chairperson of the Commission on the Situation in Burundi PSC/AHG/3(DXV), June 2015.

The Western part of the African continent presents some of the most interesting cases on this thesis, not only because of the particularities of the events of unconstitutional change of government, but because of the sub-regional provisions and activities on the issue. Moreover, the combination of the strong regional presence of ECOWAS and a regional context with a high number of political crises, brings together interesting opportunities for the analysis.

Sixteen countries are geographically a part West Africa: Benin, Burkina Faso, Cape Verde, Cote d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, the Niger, Nigeria, Senegal, Sierra Leone and Togo. Of all the countries, only Mauritania is not a member of the Economic Community of West African States (ECOWAS), as it left the organization in 1999 to become more involved in the northern region, as a member of the Arab League and the Arab Maghreb Union (HARTMANN, 2013, p.9).

Out of the five African sub-regions, and thanks to ECOWAS, the West is the one with the better developed regional normative framework on democracy promotion and protection, with provisions on UCGs created contemporarily to the ratification of the Lomé Declaration. As stated by Hartmann (2013) and later endorsed by Stoddard (2017, p.474), ECOWAS “was the first RO on the African continent to institutionalize an agenda on democracy and good governance”, which linked the democratization of its member states to the democratization of regionalism, in the 1990s.

As we mentioned before, the Lomé Declaration was developed after the violent conflict in Sierra Leone, an ECOWAS member state, in 1997. Conversely, the scenario in the sub-region has been undermined with multiple military coups, attempted coups and civil wars since its independence, which created disturbing security conditions, and prompted the need for a regional stand.

Even so, the strong regional stand is not so obvious as a response, since all African sub-regions have suffered with democratic imbalances and violent conflicts. This choice is thus what makes ECOWAS so interesting as a regional organization, and it produces effects even on the presentation of cases of this thesis. For instance, if we take a second look at table 3 below, which reproduces table 2's findings highlighting the number of cases treated by the African Union as UCGs that happened within the western African region, the result would be that only three out of the fourteen cases occurred between 2004-2017 were not located in this sub-region: the ones in Madagascar 2009; and in the Central African Republic in Egypt 2013.

The results do not mean, nevertheless, that western Africa is the most conflictive sub-region in the continent, but it indicates that it is one with strong provisions and consistent in the rejection of Unconstitutional Changes of Government. Instead of being the one with more

attempts against democracy, it presents itself as the one more willing to condemn such faults. Other sub-regions can present more coups, but less strong regional mechanisms to enforce the rules, or have other types of political manifestations or violent conflicts associated with UCGs that produce different regional responses, such as military interventions, or even have coups that are overlooked by the regional mechanisms, as we will discuss throughout this chapter.

Table 3- Compilation of events treated by the AU and the RECs as UCGs after the establishment of the legal instruments 2004-2017, with West Africa in highlights:

Year	Country	Sub-region
2005	Togo	West
2005	Mauritania	West/North
2008	Mauritania	West/North
2008	Guinea Bissau	West
2008	Guinea Conakry	West
2009	Madagascar	South
2010	Niger	West
2010	Côte d'Ivoire	West
2012	Guinea Bissau	West
2012	Mali	West
2013	Central African Republic	Central
2013	Egypt	North
2014	Burkina Faso	West
2017	Gambia	West

Source: author's compilation

ECOWAS was created in 1975 as an economic integration mechanism and has since produced important developments on trade issues, but also on the security and social fields³³. An interesting data on the ECOWAS normative framework regarding the overlapping scenario is that its Cotonou Treaty in 1993 already envisioned the bloc's relationship with the (O)AU on article 78, and other RECs (79), and international actors, 83-86, providing for cooperation and policy harmonization (ECOWAS, 1993).

Regarding the normative provisions on UCGs, Hartmann (2013; 2016b) and Stoddardd (2017) trace the norm development within the RO, starting with the 1991 Declaration of Political Principles and the 1993 Cotonou Treaty, the Revised ECOWAS Treaty, that first affirmed the desire to promote democracy in the sub-region. However, the two major

³³ The first protocol to introduce security issues was signed in 1978, considering international aggression and conflicts. But it is interesting to note that ECOWAS also developed a protocol on the "free movement of persons, residence and establishment" in 1979, with a common passport (HARTMANN, 2013, p.8,13).

milestones against UCGs are the 1999 Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security, and the 2001 Supplementary Protocol on Democracy and Good Governance.

The 1999 document enhanced ECOWAS' commitment to democracy and for the first time, created a Mediation and Security Council responsible to decide on political and military interventions in member states in cases of “an overthrow or attempted overthrow of a democratically elected government” (ECOWAS, 1999, art. 25; HARTMANN, 2013). On its turn, the 2001 Protocol contain the bloc's direct legal provisions against UCGs, including as a common principle for all member states a “zero tolerance for power obtained or maintained by unconstitutional means” (ECOWAS, 2001, art. 1, c). Article 45 regards sanctions against member states, that may include:

- Refusal to support the candidates presented by the Member State concerned for elective posts in international organizations;
- Refusal to organize ECOWAS meetings in the Member State concerned;
- Suspension of the Member State concerned from all ECOWAS decision-making bodies. During the period of the suspension the Member State concerned shall be obliged to pay its dues for the period. (ECOWAS, 2001, art.45 [2]).

The Protocol, as Stoddard (2017) in a reference to Hartmann (2013) affirms, outlines “an agreed set of convergence criteria that states should aim to meet” in terms of democracy. These standards included “inter alia, stipulations on elections, separation of powers, changes to constitutions, the apolitical role of the military, etc.” (STODDARD, 2017, p. 474).

In comparison with the detailed provisions on UCGs presented by the AU, ECOWAS' normative framework appears to be more open ended in terms of forms that the regional action may assume while promoting democracy. However, its “zero tolerance” policy have been consistent on the condemnation of infractions and the promotion of stability in West Africa. In fact, ECOWAS's presence on the sub-region is so strong that Engel (2009, p.11) affirms that it was chosen as a mediator even on the 2008 coup in Mauritania, a country that is not a member of the bloc.

Since ECOWAS presented multiple cases for analysis, the employed criteria of selection were based on two aspects: availability of primary, but also secondary data from field investigators; and the results from two questions presented to AU officials in Addis Ababa on examples of positive and conflictive examples of interaction between the AU and the RECs on a case of UCG. Thus, we have chosen to address the cases of Mali 2012,

mentioned as an example of conflictive interpretations³⁴, and the 2017 Gambian case, which was many times regarded as a positive intervention throughout the interviews. The results indicate that the time-lapse between cases and the accumulated experiences through the multiple cases involving both ROs could be an indicative that ECOWAS and the AU have had a learning process on how to navigate the overlapping scenarios, as we discuss below.

3.2.2.1 Mali 2012: ECOWAS, CEN-SAD, African Union

The conflict in Mali in 2012 has on its background the Tuareg secessionist movement, which in 2011 formed the Mouvement National de Libération de l'Azawad (MNLA) (DÖRING; HERPOLSHEIMER, 2018), demanding greater political and economic participation of the Tuareg people. Armed collisions between the MNLA and the government unfolded in early 2012, weakening the power of the latter.

In addition, other armed groups, notably Ansar Dine (advocates of faith), al-Qaeda in the Islamic Maghreb (AQIM), and the Mouvement pour l'Unité et le Jihad en Afrique de l'Ouest (MUJAO) raised the pressure on the national government (DÖRING; HERPOLSHEIMER, 2018, p. 64), until March 22, 2012 when a military coup against the democratically elected President Amadou Toumani Touré took place, claiming that he was unable to govern the country. Concomitantly, on April 6, the secessionist movement declared independence and Azawad in northern Mali, Tuareg territory (DERSSO, 2013, p.31).

Thus, the occurrence of twin crises encouraged the regional blocs to restore order in the country. Both ECOWAS and AU had been following the crisis that had formed in the territory of the African Sahel following a conflict in Libya in 2011, with northern Mali being one of the hardest hit regions³⁵. Even before the military coup and the secessionist declaration, ECOWAS and the PSC of the AU were accompanying the developments of the

³⁴ On Appendix B, two other cases, Cote d'Ivoire 2010-2011 and Guinea Bissau 2012 are presented as examples of conflictive or competitive interactions between ROs. They are showcased as drafts, as they were previously presented to the board of advisors, but since their results were very similar to those presented on the Malian 2012 case, they were cut out the text analysis in order to prioritize other cases in all African sub-regions.

³⁵ The crisis in Mali is directly linked to the crisis in Libya that saw the overthrow of president Muammar Gadhafi in 2011. The power change left the country vulnerable to the rise of armed groups and the emergence of existing tribal and regional divisions (DERSSO, 2013, p.18), which included the territory of Northern Mali, in the Sahel. Döring and Herpolsheimer explain that the Tuareg people are spread through parts of Mali, Algeria, Niger, Burkina Faso and Libya (2018, p. 65), and also affirm that because of that, among the groupings that formed the MNLA were “well-trained and well-equipped fighters who had fought in Muammar al-Gaddafi’s armies before the NATO intervention in Libya in 2011” (2018, p.64).

Sahel crisis and decided that the neighboring countries should act in the mediation of the conflict. Derrso (2013, p. 99), however states that

The mediation process that the PSC proposed clearly diverged from the one that ECOWAS envisaged in its statement of 19 March 2012. While the PSC expressed preference for a mediation process led by ‘the core countries and especially Algeria’, the 19 March ECOWAS statement arrogated that role to ECOWAS.

Both the AU³⁶ and ECOWAS³⁷ then suspended Mali until the order was restored, rejected the declaration of independence of the northern territory by imposing diplomatic restrictions on circulation to supporters of the revolutions in the country and by freezing their assets. ECOWAS also instrumentalized the West African Economic and Monetary Union (WAEMU), a sub-regional integration bloc in which ECOWAS members participate, to restrict access to financial resources while the suspension lasted (DERSSO, 2013, p.66).

Initially, therefore, the positions taken by both mechanisms are complementary and coherent. However, with the coup and the concomitant crises, the situation deteriorated, and two-level crises were identified: one in the political mediation process with the transition of power in the country’s capital, and the other regarding the armed groups in northern Mali. ECOWAS called the lead upon itself on the mediation process, and the divergences between blocs emerged from their implementation of the intervention: following its normative prerogative of military intervention, in April, ECOWAS sought to legitimize its mandate and to acquire financial support to intermeditate the Mali conflict through force³⁸.

More than that, Döring and Herpolsheimer (2018, p.68) affirm that ECOWAS “initially tried to bypass the AU with a direct approach to the UN” for support on the military intervention. And without the AU support, the UN Security council did not grant ECOWAS the mandate to intervene.

But the frictions and delays were not only caused by the divergence on issues of military intervention in the north, as the AU PSC and ECOWAS also disagreed on the terms of mediation, and when the sanctions could be lifted. This is exemplified by the fact that the ECOWAS-coordinated mediation group organized an agreement with the Comité National pour le Redressement de la Démocratie et de la Restauration de l’État (CNRDRE) for the

³⁶ See PSC Communiqué PSC/PR/COMM(CCCXV), 23 March 2012.

³⁷ Dersso (2013) traces the ECOWAS decisions to the extraordinary summit of the bloc on March 27th and the 29th March Mini-Summit held after a high-level mission to Bamako.

³⁸ Cf. ECOWAS Final Communiqué. Extraordinary Summit of ECOWAS Heads of State and Government. Abidjan, 26 April 2012.

establishment of a transitional government in Mali in a period of 40 days and immediately abolished sanctions on the country (DERSSO, 2013, p.66). Although AU acknowledged the ECOWAS efforts, it maintained the sanctions applied³⁹.

The fact that ECOWAS signed the agreement with CNRDRE legitimized the overthrow of President Touré and the military junta, which was also a signatory of the document (DERSSO, 2013, p.66). Thus, the military had the opportunity to establish conditions for the reappointment of civilians and to interfere in transitional political affairs. In this way, ECOWAS' understanding showed fragility and diverged from the PSC, which maintained the sanctions of the AU and demanded the dissolution of the junta for the restoration of the constitutional order⁴⁰.

As for the crisis that was still unfolding in northern Mali, the difficult consensus between military intervention and political negotiation, was not limited to the regional blocs but also between the neighboring countries⁴¹. Finally, the decision to intervene militarily was backed up by the AU in June⁴². Even with the AU support the UN Security Council delayed the grant of its mandate until December⁴³, after months of negotiation, but then in a form of a joint action between both blocs, the AU–ECOWAS joint operation - AFISMA (DÖRING; HERPOLSHEIMER, 2018, p. 68).

Results:

The rejection of the UCG was the common ground between the two blocs. Following their normative provisions, both ECOWAS and the AU condemned the coup and applied sanctions on Mali. However, the intervention itself generated conflicts, as the blocs had competing views on how to handle the crisis.

Although the decision was finally a joint action, the difficulty of converging between the two blocs made the process of restoration of the constitutional order slow, with more than eight months elapsing before a consensus was reached on the grounds of conflict resolution

³⁹ The AU lifted Mali suspensions in the end of October 2012, six months after ECOWAS. The criteria for the lifting of the suspension was the formation of an expanded national unity government, which was achieved on August 20th, 2012. See PSC Communiqué PSC/MIN/COMM. (CCCXXXIX), 24 October 2012.

⁴⁰ Cf. PSC Communiqué PSC/PR/ COMM(CCCXXII), 12 June 2012.

⁴¹ Dersso (2013, p. 68), affirms that between the neighboring countries there were also divergent opinions on how to deal with the conflict in Mali, as some countries, like Algeria, were against the use of military intervention; and when the decisions to intervene were taken, there were also conflictive positions on how to engage.

⁴² Cf. PSC Communiqué PSC/PR/ COMM(CCCXXII), 12 June 2012.

⁴³ Cf. UNSC, Resolution 2085. Adopted by the Security Council at its 6898th Meeting (S/RES/2085). New York, 20 December 2012.

through military intervention (DERSSO, 2013). The hierarchical overlapping with the mandate of the UN Security Council also delayed operations, even when consensus was regionally achieved. In addition, the junta's recognition / non-recognition crisis made the central power in Mali unstable as an agent of order restoration, and the country underwent a continued political unrest.

Regarding horizontal overlaps among RECs, we found no evidence of CEN-SAD acting, but ECOWAS' instrumentation of its sub-regional bloc WAEMU is especially interesting as the overlapping was used in order to enforce a position.

3.2.2.2 The Gambia, 2017: ECOWAS, African Union

The crisis in the Gambia started in December 2016 with the presidential elections. The sitting president Yahya Jammeh had been in power for over 20 years, after he seized power on a military coup in 1994, and was elected and re-elected president in 1996, 2001 and 2016. Hartmann (2017, p.86) affirms that Jammeh did not seem likely to lose the 2016 polls, as the government held the position with a firm grip, international election observations were limited, there was a general atmosphere of intimidation and the opposition had suffered great persecutions in the country.

However, the results from the ballots gave the win to the oppositional candidate, Adama Barrow, on December 2nd. President Jammeh affirmed at first that he was willing to respect the electoral process and recognized the defeat on a television speech, congratulating Barrow. The government's initial reaction was therefore surprising and Jammeh reiterated he would not contest the results (HARTMANN, 2017, p.86).

Nonetheless, a couple days after, on December 9th, Jammeh started questioning the procedures and refused to relinquish power, as he allegedly did not trust the electoral process, and, given the irregularities, a new election should be held, under a different Electoral Council organization⁴⁴. ECOWAS, the AU⁴⁵, and the UN strictly condemned Jammeh's public pronouncements with a joint communiqué released on December 10th⁴⁶, and ECOWAS decided to

⁴⁴ Cf. Al Jazeera. Gambia's Jammeh rejects result of presidential election. 10 December 2016. <https://www.aljazeera.com/news/2016/12/gambia-jammeh-rejects-result-presidential-election-161210034606068.html>

⁴⁵ On PSC Communiqué PSC/PR/COMM. (DCXLIV) 12 December 2016, the AU recalled the principles of the African Charter on Democracy, Elections and Good Governance and urged the facilitation of a peaceful transition of power.

⁴⁶ Cf. ECOWAS, African Union and UN statement on the political developments in the Gambia,

deploy a high-level mediation mission to Banjul on December 13th, calling the lead upon itself and receiving support from the AU (ECOWAS, 2016).

The delegation sent to the Gambia was very high-ranked and comprised the Heads of State of Liberia, Nigeria, Ghana and Sierra Leone. In Banjul, they held consultations with Jammeh and Barrow, insisting on the importance of the peaceful democratic transition and still, the efforts produced no visible results. At the ordinary ECOWAS Summit on December 17, it was decided that the mediation efforts would continue under ECOWAS' auspices with the president of Nigeria officially being appointed as mediator, with the Ghanaian president as his co-chair, and the sub-regional bloc called for AU and UN support as it decided to "take all necessary measures to strictly enforce the results of the 1st December 2016 elections" (ECOWAS, 2016). "All necessary measures" meant the possibility of military intervention. As Hartmann (2017, p.89) points out "ECOWAS placed standby forces on alert and formally authorized them to intervene militarily if Jammeh did not step down".

ECOWAS' position was fully backed by the AU, that emphasized Jammeh's deadline to relinquish power was January 19, Gambian inauguration day, when Barrow would be recognized as ruling president by the African leaders.⁴⁷ As negotiations did not seem to progress and the time limit approached, ECOWAS gathered in preparation for the establishment of the ECOWAS Military Intervention in The Gambia (ECOMIG), whose troops started to position on Gambian borders on January 18.

On January 19, the ECOMIG troops started to invade Gambian territory, but were quickly stopped by last minute negotiations: with the country under the imminent threat of invasion, with Barrow being sworn in and recognized as rightful president at the Gambian Embassy in Senegal, and with the army chief pleading allegiance to Barrow, Jammeh agreed to step down and go into exile (HARTMANN, 2017, p.90). The mediation then avoided physical confrontation and ECOWAS by only using the threat to use force was able to restore the rule of law in Gambia.

Results:

Considering the mediation efforts, as ECOWAS mostly led the process, the AU took a back seat but provided institutional support. The firm position held by ECOWAS' high-level delegation with the threat of the use of force, combined with AU and UN's support made Jammeh's situation very delicate. Therefore, the Gambian case showcased a quick response and an emphatic stand that was translated into an interesting synergy on cooperation.

⁴⁷ Cf. PSC Communiqué PSC/PR/COMM. (DCXLVII) 13 January 2017.

Many reasons could be conjectured on the domestic scenario in order to understand why the Gambian case worked so well in comparison with other cases in other sub-regions. Our interest in this thesis lies, nevertheless, on the forms of behavior adopted by the ROs, and the situation seems to demonstrate that the AU and ECOWAS have adapted and learned through previous experiences in joint interventions, since the AU recognized ECOWAS' mediation prerogative and backed the efforts, with no competition shown, but rather support and joint action.

The Gambian case has as a particularity the fact that the type of UCG practiced was neither a direct coup, nor a constitution amendment in order to stay in power, but rather a failure to admit defeat on elections and relinquish power. Both ECOWAS and the AU recalled their instruments against UCGs and even prepared for the use of force, but the sanctions were as limited as the effects of such type of infringement: neither of the mechanisms suspended the Gambia⁴⁸. At the same time, this move was coherent as it was taken by both organizations and it was justified since the mediation efforts managed to restore the power to the constitutionally elect president Barrow on the deadline of January 19th.

3.2.3 Southern Africa

As with other regions, the definition of which countries compose the Southern part of the continent is oftentimes regarded differently. The UNECA definition⁴⁹ encompasses Angola, Botswana, Eswatini (formerly known as Swaziland), Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Zambia and Zimbabwe. However, the Southern African Development Community (SADC), the region's main REC englobes, besides those countries, Comoros, the Democratic Republic of the Congo (DRC), Madagascar, Seychelles and Tanzania. Accordingly, these last countries are also included on Eastern and Central Africa definitions⁵⁰.

Apart from SADC, the sub-region also hosts the oldest running RO, the Southern African Customs Union (SACU), an economic integration project between SADC members Botswana, Lesotho, Namibia, South Africa and Eswatini; and one more Regional Economic

⁴⁸ See also: BALOGUN, E.; MWABA, A. How will the African Union respond to the military overthrow in Sudan? The Washington Post, April 24, 2019. Available on <<https://www.washingtonpost.com/politics/2019/04/24/how-will-african-union-respond-military-overthrow-sudan/?noredirect=on>>

⁴⁹ As seen on UNECA reports for the sub-region (UNECA, 2019). See also the specific Southern Africa webpage on : <<https://www.uneca.org/publications/southern-africa>>

⁵⁰ Comoros, the DRC, Madagascar, Seychelles and Tanzania are covered the UNECA Office for Eastern Africa; while Angola and the DRC are also listed by the UNECA Office for Central Africa.

Community: the Common Market for Eastern and Southern Africa (COMESA), to which five of the UNECA's Southern African countries are also members (Eswatini, Malawi, Mauritius, Zimbabwe and Zambia). In contrast with sub-regions as Eastern Africa, that presented multiple sub-regional organizations, the southern part of the continent does not count on as many institutions. In fact, the case presented is more similar to West Africa, where there are less overlappings but one strong sub-regional organization: SADC.

Nevertheless, regarding the established normative framework, ECOWAS and SADC are very different, since the Southern bloc did not engage in directly addressing unconstitutional changes of government on its documents. In fact, Girardeau (2012, p.54) affirms that SADC does not have an explicit framework on UCGs, but rather bases its position on the issue on the African Union's documents and policies.

Van der Vleuten and Hulse (2013) and Girardeau (2012) have traced the main legal SADC documents that address the issue of democracy protection and promotion and its instruction against UCGs, even if indirectly. However, the most relevant one for this research is the 2001 Protocol on Politics, Defense and Security Cooperation, as we understand that it further formulates the foundations for the bloc's mandate on the matter, since it also regulates the Organ on Politics, Defense and Security, an institutional source of legitimacy for the democratic mandate, created in 1996⁵¹.

In contrast with the ECOWAS and the AU policies, the SADC documents present what could be considered as a less clear approach to democracy enforcement, as it is not always as clear which measures should be taken and in which situations those measures are required. For instance, considering the SADC Treaty, the democratic concern is only addressed twice: as a principle of the organization (article 4, c) and as an objective (article 5). Article 5 (1, b) affirms the goal to "promote common political values, systems and other shared values which are transmitted through institutions which are democratic, legitimate and

⁵¹ It is worth mentioning other documents that could have been added to this list, such as the SADC Mutual Defense Pact. As stated by Girardeau (2012, p.55), it "touches upon the issue of unconstitutional changes of government, when it specifies that destabilising acts include "any act or activity aimed at changing the constitutional order of a State Party through unconstitutional means" (SADC, 2003). However, the focus here is upon assuring that member states do not undertake such acts against other member states. As Article 8 of the Pact states, "state parties undertake not to nurture, harbour or support any person, group of persons or institutions whose aim is to destabilise the political, military, territorial and economic or social security of a State Party" (SADC, 2003)". Other relevant documents that could be added to the list, such as the 2003 Regional Indicative Strategic Development Plan (RISDP), the 2004 SADC Election Guidelines and the 2004 Strategic Indicative Plan for the Organ (SIPO), but their provisions are more relevant to the understanding of what is expected from standard democratic behaviors than to establishing a mandate over the issue for SADC. See also: VAN DER VLEUTEN; HULSE, 2013.

effective”; while (1,c) states that the RO shall “consolidate, defend and maintain democracy, peace, security and stability”. (SADC, 2015, p.6). However, as Van der Vleuten and Hulse (2013, p.28) highlight, “the document does not specify what it means by “democracy” or how SADC will defend it”. It also does not directly address the issue of coups d’état or UCGs in its text (GIRARDEAU, 2012, p.52).

This can also be explained by the context of some of its member states, which only as recently as the 1990s have confronted democratic values, with the consolidation the end of the South African apartheid in 1994, and the ongoing problems and democratic violations in the DRC. In fact, Van der Vleuten and Hulse (2013, p.14) affirm that a 1995 document added to the SADC Treaty signed in 1992, a membership accession criterium, which was “must be a democracy”; however, the consolidated version is more broad on its affirmation, currently not posing any criteria related to democracy on its Article 8, regarding the admission of new members.

Moreover, something interesting about the SADC provisions is how close the idea of democracy and good governance is linked to the goals of maintenance of peace and security, which have been an important issue on the agenda of the sub-regional organization. This understanding also clarifies why we highlight the relevance of the 2001 Protocol on Politics, Defense and Security Cooperation, for this study. It is its Article 11(2, b, ii) that states that in the events of a “military coup or other threat to a legitimate authority of a State”, the Organ on Politics, Defense and Security should seek to resolve the conflicts. The forms of action are identified by article 11 (3, a) for conflict resolution: “preventive diplomacy, negotiations, conciliation, mediation, good offices, arbitration and adjudication by an international tribunal” (SADC 2001).

The Protocol even goes on to state that “where peaceful means of resolving a conflict are unsuccessful, the Chairperson acting on the advice of the Ministerial Committee may recommend to the Summit that enforcement action be taken” (SADC, 2001, article 11, 3, c); but only as a “last resort and, in accordance with article 53 of the UN Charter, only with the authorization of the UN Security Council” (article 11, 3, d), thus materializing the RO’s mandate.

Other provisions worth citing from the 2001 Protocol are the affirmation of the objectives of the Organ on Politics, Defense and Security, which include: “to “protect the people and safeguard the development of the Region against instability arising from the breakdown of law and order, intra-state conflict- inter-state conflict and aggression”; (article 2, 2, a); to “prevent, contain and resolve inter- and intra-state conflict by peaceful means” (article 2, 2,

e); to “consider enforcement action in accordance with international law and as a matter of last resort where peaceful means have failed” (article 2, 2, f); and to “promote the development of democratic institutions and practices within the territories of State Parties and encourage the observance of universal human rights as provided for in the Charters and Conventions of the Organization of African Unity and United Nations respectively” (article 2, 2, g) (SADC, 2001, p.3-4). Regarding the last point, article 15, which addresses the Relationship with other international agreements affirms that the Protocol does not detract member states from rights and obligations the AU and UN member states but does not go further.

Considering the occurrences of UCGs, table 2 (p.60) only presents one case of intervention in Southern Africa: Madagascar, 2009. Arguably, at least two other notorious recent events have occurred during this research time lapse that could have been added to the list: the coups d'état in Lesotho, 2014 and Zimbabwe, 2017. However, neither case has invoked the normative framework and procedures against unconstitutional changes of government and are therefore not included⁵².

Even so, the case selection for the Southern sub-region was endorsed by the fact that during the interview process held with AU officials and expert researchers, the Malagasy case of 2009 was one of the most appointed situations with reference to conflicting experiences dealing with UCGs. The complexity of the case is also underscored by the time lapse involved on conflict mediation and restoration of the constitutional order, which took almost five years, and consequently the suspension applied to Madagascar was only lifted in 2014⁵³, as we discuss below.

3.2.3.1 Madagascar, 2009: SADC, COMESA, AU

⁵² Regarding Lesotho, SADC did intervene, but not invoking the normative framework on UCGs, opting for an approach of dialogue and engagement (RUIPIA, M. *Regional Intervention in Fragile African States: Comparative Case Studies of South Sudan and Lesotho: Any Lessons Learnt?* AfSol Journal Volume 1, Issue 1. Addis Ababa, August 2016). This case could be similar to the Burundian where the sub-regional RO not treating a crisis as an UCG blocks the AU's action based on the subsidiarity between organizations. As for Zimbabwe, neither the AU nor SADC condemned the removal of long-lasting dictator Mugabe from power. As ROESSLER (2017) points out, by not enforcing the normative framework, both organizations “tacitly supported the forcible removal of Mugabe”. (ROESSLER, P. *How the African Union got it wrong on Zimbabwe. Opinion*, Al Jazeera, 5 December 2017. Available at <<https://www.aljazeera.com/indepth/opinion/african-union-wrong-zimbabwe-171204125847859.html>>)

⁵³ Cf.: SADC Lifts Madagascar Suspension. Addis Ababa, 30 January 2014. Available at <<https://www.sadc.int/news-events/news/sadc-lifts-madagascar-suspension/>>

The political crisis in Madagascar has been studied in depth by different scholars and research institutions, due to its long mediation period and its impacts for resolution. Considering the many particularities of the negotiations in the span of five years, in this section we focus on the overlapping regional organizations' positions and behavior during the events.

The political instability emerged in Madagascar on January 2009 and peaked in March of the same year when President Marc Ravalomanana was ousted after months of civil violence and public demonstrations in the country's capital, Antananarivo. Upon Ravalomanana's forced resignation on March 17th, he handed the power to a military committee that then proceeded to install Andry Rajoelina, the mayor of Antananarivo, who had proclaimed himself president of the High Authority of the Transition (HAT), the new leader of government, while Ravalomanana was forced into exile (INTERNATIONAL..., 2014, p.1).

Girardeau (2012, p.63-65) highlights that during this troubled period in early 2009, in the months preceding the UCG, the AU, SADC and the UN had missions deployed to the country in order to investigate the country's conditions and talk to stakeholders. However, the efforts produced very little effect and the government was still ousted in March.

SADC member states reunited in Eswatini on March 30th, 2009, after an Extraordinary Summit of the Organ Troika on Politics, Defense and Security Cooperation was held on 19 March and converged to condemn the events in Madagascar and to call for the restoration of the constitutional order. The country was then suspended from all of the bloc's institutions and organs, while the Rajoelina government was not recognized and deemed unconstitutional (SADC, 2009).

The AU Peace and Security Council also immediately acted upon the matter, reuniting on March 16, before Ravalomanana's resignation, on the day he left the office, March 17th, and on March 20th when the Council condemned the UCG and called upon SADC and all other AU partners to back the rejection of the political situation.⁵⁴ As Girardeau (2012, p. 69) affirms, the AU recognized the need to coordinate efforts to push the return to the constitutional order in Madagascar, which could be perceived as an attempt to lead the mediation.

As a result, an International Contact Group for Madagascar (ICG-M), was then established in order to facilitate coordination on April 2009 (WITT, 2017). It was composed by members of the AU, and the RECs, SADC and COMESA, as well as other ROs, such as the Indian Ocean Commission (IOC) and the International Organization of Francophonie (OIF), and external actors as the European Union (EU) and the UN, represented by African and per-

⁵⁴ Cf.: PSC Communiqués PSC/PR/BR(CLXXIX) 16 March 2009; PSC/PR/COMM.(CLXXX) 17 March 2009; and PSC/PR/COMM.(CLXXXI) 20 March 2009.

manent members of the UN Security Council (Rwanda, Togo, China, France, Russia, the UK and U.S.), Mozambique, Tanzania, South Africa, Germany and Japan (INTERNATIONAL..., 2014)⁵⁵.

However, the opinions among the ICG-M members on what to expect from Madagascar were not unanimous: while all the actors demanded a return to the constitutional order, it was not clear what it actually meant (WITT, 2017, p.3). As the author states, though SADC's and COMESA's decisions were perceived as a threat to use military force in order to reinstall Ravalomanana, the other international actors involved had different approaches: the AU, for instance, urged for a joint work with SADC, preferring a mediation approach, whereas the USA and France pressured for the organization of transitional elections (WITT, 2017, p.3-4). In the end, the immediate result approach from the combination of perspectives of the ICG-M members was the convergence of a mediated solution in order to organize elections to resolve the crisis.

However, as the months went by with no significant results achieved (WITT, 2017, p.4), SADC decided to step in and to appoint, in June 2009, Mozambique's former President, Joaquim Chissano as lead mediator for the conflict, in accordance with the mandate originated by the article 11 of the 2001 Protocol on Politics, Defense and Security Cooperation, which we mentioned above. Girardeau (2012, p.71) affirms that SADC's initial hard-line response to the UCG had weakened its leadership on the mediation at first, since it separated its approach from the stance posed by the AU and the UN, but, as the AU led ICG-M could not resolve the impasse, the sub-regional bloc had an opportunity to step ahead again, backing off the ostensive position and offering a mediated approach.

The AU backed Chissano's mandate and continued to work through the ICG-M through the organization of a Joint Mediation Team (JMT-M) to coordinate the different members of the ICG-M under the Chissano (AU, 2009; GIRARDEAU, 2012, p.73-74). Rounds of negotiation followed in August 2009. Even though a power-sharing deal that provided the opportunity for the consolidation of a transition was proposed, through the signed Maputo Agreements, it generated no consensus, since Rajoelina was willing to take unilateral positions (GIRARDEAU, 2012, p.75), blocking the implementation of the accords, reserving core government positions in the transitional authority for his own supporters and threatening to organize elections (CRISIS..., 2010).

⁵⁵ See also: ICG-M Communiqué 7th Meeting, 23 June 2013.

Several rounds of negotiation followed with conflicts happening not at the sub-regional or regional level, who were cooperating through the JMT-M, but among the Malagasy stakeholders who could not reach an agreement due to the lack of political will which stalled any transitional progress (GIRARDEAU, 2012, p. 78). On December 2009, Rajoelina decided not to negotiate anymore (WITT, 2017, p.5)⁵⁶, which generated a serious deadlock and prompted action by the ROs.

The AU sought to take the lead again through the expedition of the creation of a Monitoring Mechanism⁵⁷, which had been agreed on the continuity of the Maputo Agreements, taking a step ahead on ending the negotiations phase (GIRARDEAU, 2017, p.79). As Girardeau's research points out, the choice could have been perceived as a source of contestation between the AU and SADC who was then leading the mediating process and had a different approach to crisis resolution, willing to continue the mediation. The source of contestation was also related to disagreements on the character of the ICG-M: SADC reinforced the idea that the ICG-M was a consulting stance, not a mediating body contained on the African Peace and Security Architecture⁵⁸, and valued its own efforts on the mediation, which were recognized by the AU Assembly (GIRARDEAU, 2012, p.80).

As the situation progressed with no achievements due to the deadlock created by Rajoelina, the AU and SADC proceeded to jointly impose new sanctions against the perpetrators of the UCG, the members of the HAT, which included travel bans, freezing of funds and diplomatic isolation⁵⁹ (GIRARDEAU, 2012; WITT, 2017). Even though the combined regional position was strong, different mediation efforts followed through the year of 2010, but with no significant progress.

In September 2011, two and a half years after the UCG, SADC managed to present a fruit of its mediation efforts, the "Roadmap for Ending the Crisis in Madagascar" (SADC, 2011), a commitment between Malagasy stakeholders which established the basis for the con-

⁵⁶ Cf.: "Report of the Chairperson of the Commission on the Situation in Madagascar", 216th Meeting of the AU Peace and Security Council, PSC/PR/2(CCXVI), 19 February 2010, Addis Ababa, Ethiopia.

⁵⁷ Cf.: Report of the Chairperson of the Commission on the Situation in Madagascar, PSC/PR/2(CCXVI), 19 February 2010, Addis Ababa, Ethiopia.

⁵⁸ Cf.: Statement by H.E. Mr. Hifikepunye Pohamba, President of the Republic of Namibia and Deputy Chairperson of the Southern Africa Development Community (SADC), to the 14th Ordinary Session of the African Union Assembly of Heads of State and Government", 1 February 2010, Addis Ababa, Ethiopia. SADC, 2010 *apud* GIRARDEAU, 2012, p. 80.

⁵⁹ Cf.: PSC Communiqué PSC/PR/COMM.1(CCXVI), 19 February 2010.

clusion of negotiations. However, some questions were not clear as pointed by Witt (2017, p.15)⁶⁰

the unresolved issues were the circumstances under which Ravalomanana would be allowed to return to Madagascar and the question of who was eligible to run in presidential elections. The mediators were faced with a dilemma: letting Rajoelina contest the elections would violate the prescriptions of the African Charter on Elections, Democracy and Governance, yet the rapid restoration of constitutional order was only possible with Rajoelina's support, and this in turn was based on the precondition that Ravalomanana would not return to Madagascar (WITT, 2017).

The mentioned questions generated continued conflicts of interpretation between stakeholders, though the AU and SADC kept their joint position on sustaining the need of free and fair democratic elections. In the end, the Madagascar HAT was very pressured internationally, with lack of money and recognition, and with targeted sanctions (WITT, 2017, p. 16), which finally led to the realization of a first round of presidential elections on October 25, 2013, and the second run and parliamentary elections on December 20, 2013. The polls' results were announced on January 7, 2014 and deemed satisfactory, which finally occasioned the end of the suspension sanctions by the AU, SADC, and other international partners, as well as the transformation of the ICG-M on a Support mission (ICG-M, 2014).

Results:

The conflict in Madagascar allows different reflections on the issue of overlapping mandates and UCGs. Generally speaking, the overlapping mandates of the AU and SADC were not a great source of conflict, as the combined joint efforts with the recognition of Chissano's mediation resulted mostly in positive enforcement of a common will to end the political instability. Consequently, the conflict on organizational behavior on the Malagasy case is less generated by who has the mandate to mediate, and more related to frictions between the ROs trying to take the lead in different moments due to the non-resolution of the impasse.

At the very first moment, all international players condemned the political crisis in Madagascar. SADC and COMESA, the regional sub-groupings, considered using a military intervention to solve the conflicts, a position that was not backed up neither by the AU, nor the UN, and therefore was not applied. Considering that the source of SADC's mandate on

⁶⁰ On the subject, see also: WITT, A. Where Regional Norms Matter: Contestation and the Domestic Impact of the African Charter on Democracy, Elections and Governance. *Africa Spectrum* 54, no. 2, p. 106–26 August 2019.

the matter emanates from the Protocol on Politics, Defense and Security Cooperation, it is a coherent approach, but one that does not necessarily match the AU's expectations on the matter. In order to take the lead, SADC then takes a step back and appoints Chissano as the front man for a mediated solution. This second position was supported by other international actors, and generated cooperation.

The combined efforts, both on mediation and on sanctioning were extremely important for the turnouts of the conflict, even with the long process involved, since it was the international pressure exerted by both the AU and SADC that finally managed to force Rajoelina to back off and conduct the elections. Throughout the whole process it can be seen that both ROs decided to remain seized of the matter, even when cooperating, and competition for leadership presented itself in moments of deadlock on conflict resolution, as a way of pressuring a way forward. Nonetheless, SADC's position on the mediation was very strongly declared during its 5 years, not allowing to be bypassed by AU's policies, such as the Monitoring Mechanism.

In fact, as we have previously stated, this thesis does not focus on the actions extra-regional actors, even if we take into consideration the role played by the UN when it interferes on the ROs' behavior. Notwithstanding if on the first steps of negotiation, not having the UN nor the AU's support blocks SADC's intention of using force, towards the end of the mediation the UN's positioning did not play such an important role, as SADC and the AU remained firm on their stand against UCGs and on their sanctions, while the UN seemed to take a lighter approach, allowing Rajoelina to address the UN Assembly and granting funds to Madagascar (GIRARDEAU, 2012, p. 84-85).

Two points should be highlighted. First, Witt (2017) argues that the problems with the Malagasy mediation originated from the fact that even though the ROs had a mandate to perform in a case of UCG, there were actually contradictions between the reality on the field, where the Malagasy parties did not invite any international mediation, and the regional policies that imposed the rules of negotiations. This fact would then contradict the idea that the political process should be locally owned.

Thus, the greatest source of competition between overlapping ROs was generated by the need to take the lead, arising from the difficulty of applying regional provisions at the domestic level, which on its turn was endorsed by the lack of clarity/ completeness of the normative, and led the policies open to interpretation and bending, bringing about the possibility of disagreement and permitting the Malagasy stakeholders to delay negotiations. These affirmations can be exemplified by the fact that the AU Charter on Elections, Democracy and Good Governance does not accept negotiations to be conducted with the perpetrators of an

UCG, but not only Rajoelina was an important actor at the table, together with the ousted president Ravalomanana, he was actually recognized as the president of the transition by the Roadmap. The scenario was so complex that the 2013 elections only happened after both former presidents agreed not to run.

Conclusively, considering the ROs' behavior, it could be said that more than a competition for regional relevance or leadership, the Malagasy case presented a common determination to force the domestic conflict in Madagascar to cease, even without the accordance of the main domestic stakeholders. While the joint action was important, the solutions were extremely delayed, and even considered "cosmetic" (INTERNATIONAL..., 2014), as in the long run political divisions remained, with the 2018 presidential elections being disputed by Ravalomanana and Rajoelina again.

3.2.4 Central Africa

Similarly to the other subregions, the Central part of the continent has faced multiple conflicts and crises over the years since its independence, but the struggles of this particular geographical part are very preeminent due to the presence of continued armed clashes and civil wars which have occurred very recently, through the 1990's until the present moment. As a result, as Meyer (2011) affirms "a high number of ECCAS member states are currently still in a post-conflict state". Additionally, the ratio of undemocratic governments is very high, with virtually all Central African countries being currently listed as authoritarian, according to The Economist's Democracy Index 2018 (THE ECONOMIST, 2018)⁶¹.

As we have previously mentioned, the sub-region shares some of its member states with Eastern and Southern Africa⁶², but the UNECA offices for Central Africa officially serve the countries of Angola, Burundi, Cameroon, Central African Republic (CAR), Chad, Congo, Democratic Republic of Congo, Equatorial Guinea, Gabon, and São Tomé and Príncipe⁶³. Regarding the presence of ROs, the most representative REC of the sub-region is the Economic Community of Central African States (ECCAS), to which all the mentioned countries

⁶¹ As the only exception, São Tomé and Príncipe does not figure as authoritarian but it is also not listed among the 167 countries analyzed by The Economist.

⁶² Respectively Burundi, Rwanda and the DRC with the East; and Angola and the DRC with the South.

⁶³ Cf. UNECA. Central Africa – Countries and Partners. Available at <<https://www.uneca.org/sro-ca/pages/countries-and-partners>>.

are affiliated, with the addition of Rwanda, which had left the organization in 2008, but re-joined in 2016.

Observing the presence of organizational overlaps on the sub-region two notorious facts should be highlighted: firstly, while almost half of ECCAS member states are only affiliated to one REC, which combined with a lower number of regional groupings focused on Central Africa, reduces horizontal overlaps, the other six members of ECCAS are also members of four other RECs: COMESA and/or CEN-SAD, and/or SADC, and/or the EAC; and secondly, the acknowledgment of the presence of a nested overlap between ECCAS and the Central African Economic and Monetary Community (known for its French acronym CEMAC), an economic integration bloc, with shared currency, also composed of half of its members: Cameroon, the CAR, Congo, Gabon, Equatorial Guinea and Chad. Besides ECCAS and CEMAC, the Economic Community of the Great Lakes Countries (CEPGL) is also composed by Central African States.

On Chapter 2, we affirmed that ECCAS was created in 1983, with the intent of combining the efforts of the CEPGL and UDEAC, CEMAC's predecessor, in order to represent the Central African sub-region, according to the Lagos Plan of Action. Thus, its mandate was initially focused on economic cooperation, and accordingly with its member states political context, the zeal for democratic principles did not appear on the ECCAS constitutive treaty. ECCAS' initial years were very turbulent and of inactivity: the bloc began its activities in 1985 but did not function "for several years because of financial difficulties (non-payment of membership fees) and the conflict in the Great Lakes area" (AU, 2019b). In fact, with the numerous conflicts undergone, some of which had member states on different sides⁶⁴, Meyer (2015) affirms that between 1992-1998 the RO went through a period of paralysis, referred to also as "ECCAS hibernation" (MEYER, 2015).

The author proceeds to trace that following this stagnation period, the member states decided to revive ECCAS, "acknowledging that economic cooperation requires a context of political stability" (MEYER, 2015, p.3). Thus, the REC's mandate was expanded, starting in 1998-1999, with a significant institutional reform process which established a regional security architecture (WELZ, 2016), and finally formalized ECCAS as a pillar of the AU's African Economic Community (UNECA, 2019b).

In the case of ECCAS, the access to primary data such as official documents, communiqués and legal texts is very scarce, even in French, the main language of most of the mem-

⁶⁴ For instance, during the war in the DRC, Rwanda and Angola fought on opposite sides (AU, 2019).

ber states. Considering the main normative provisions, nonetheless, the source of ECCAS' mandate against UCGs emanates from one of the structures created by the 1999 reforms: the Council for Peace and Security in Central Africa (COPAX) (ECCAS, 1999; 2000), and its instruments. Democracy and good governance are not mentioned on the Constitutive Treaty (ECCAS, 1983), and the subsequent documents, post the institutional reforms, directly address the terms very few times, mostly combined with the idea of peacekeeping, conflict prevention and lasting peace and development, coherently with its new mandate.

Three pillars compose COPAX' action: the Commission for Defense and Security; the Central African Early Warning System (MARAC, on its French acronym); and the Central African Multinational Force (FOMAC, one of the regional brigades we have previously mentioned). The Protocol that regulates the COPAX was adopted in Malabo on February 24th, 2000 (ECCAS, 2000) and entered into force in 2004 (MEYER, 2015, p.3). Notedly, this moment of reform is also contemporary to the AU's concern with UCGs through the Lomé Declaration, and the establishment of the AU's Peace and Security Architecture, which reaffirms the importance of the years 2000 on the African stand against conflicts and its turn towards democracy protection and enhancement.

The "promotion and consolidation of democratic institutions and constitutional legality in each State" (ECCAS, 2000) is described on art.3, h, of the COPAX Protocol as a principle for the sub-regional organ, but the objectives and procedures of the Council do not mention standards or further provisions on democracy, focusing on peace related issues. Within COPAX' competencies, the possibility of intervention, including with military aid, is listed under its means of implementation, through FOMAC's assistance.

The Multinational Force's mandate is described on articles 23 and 24 of the same Protocol, but it is actually article 25, d, that provides the clearest reference to UCGs on the normative, by stating the situations where FOMAC is to be deployed, following a decision of the Commission, among which: "in the event of the overthrow or attempted overthrow of the constitutional institutions of a member state" (ECCAS, 2000). The institutional formulation demonstrates the securitarian approach given to the events of UCG, and they do not further elaborate on procedures for the matter⁶⁵.

⁶⁵ A posterior normative that regulates the "Standing Orders of the Central African Multinational Force" was signed in 2002, and even though it does address the objectives, mission, organization and functioning, it does not mention UCGs or democracy protection, only referencing the same article 25 from the COPAX' Protocol.

The list of UCGs provided o Table 2 (p.60) only presents one case that provoked a regional response according to existing the norms: The Central African Republic, 2013. As we have stated above, this fact is explained not by an abundance of democracy, but as a result of the lack thereof. The weak regional standards of peer enforcement caused by the multiplicity of post-conflicts struggling states demonstrates that the existence of a normative provision does not suffice without regional capabilities to manage the distresses caused by UCGs, as shown by the following example case.

3.2.4.1 Central African Republic, 2013: ECCAS, CEN-SAD, AU

The political unrest in the Central Africa Republic (CAR) is not merely an isolated case of UCG, but an ongoing crisis that has demanded different levels of intervention, by different international actors over the years. Appendix B presents at least five successful coups having occurred in the country between 1966-2013, but Welz (2018, p. 116) further affirms that ever since its independence, the CAR has not witnessed a long period of peace, stability and democratic rule, as a partial result of limitations such as colonialism and weak institutions, combined with the sub-regional political turbulent context.

In fact, the author illustrates the affirmation with numbers: from 1997, when widespread violence due to political and social crises erupted, until 2015, the country went through at least 13 peace operations, conducted not only by African regional organizations, but also the EU, the UN and France (WELZ, 2016, p. 11), a pattern that Welz and Meyer (2014) have previously labeled as “patchwork interventionism” (WELZ, 2016; 2018). Consequently, as we address the 2013 political turmoil in the CAR, the history of violent conflict and direct intervention should be taken into account upon analyzing the organizational behavior presented by the overlapping ROs.

Additionally, we underscore the direct link between the 2013 coup d'état and the one that had happened 10 years earlier, in 2003, when General François Bozizé managed to overthrow president Ange-Félix Patassé. Due to political, social and military crises during Patassé's term in office, the CAR underwent conflicts and had interventions deployed by regional leaders, the UN, CEN-SAD and CEMAC (WELZ, 2018), and the instability finally led to Bozizé's power seizing in 2003.

Bozizé's rise to the presidency was accompanied by the start of a violent bush war in the country (WELZ, 2014, p.602), which only led to a peace agreement in June 2008. The Libreville Comprehensive Peace Agreement was signed under the auspices of CEMAC and

generated the ECCAS-led Peace Consolidation Mission in the Central African Republic (MICOPAX), (WELZ, 2018, p.117) which stayed in the country until after the developments of the 2013 coup, as we discuss below.

The crisis that led to Bozizé's overthrow on March 2013 erupted towards the end of the year of 2012, when a rebel group called the Séléka ("alliance" in the local Sango language (WELZ, 2016, p. 11), it was composed mainly of Muslim anti-government militias on a majoritarian Christian country), under the lead of Michel Djotodia advanced towards Bangui, the country's capital. After efforts by Chadian and South African troops helped by providing military pressure, the ECCAS facilitated peace arrangements that led to a new peace agreement in January 2013 (WELZ, 2018, p. 120). However, the period of peace was short lived and the Séléka succeeded to overthrow Bozizé and Djotodia declared himself the new president on March 25, 2013.

The coup generated different understandings among regional peers. The AU immediately condemned the power seizures accordingly with its normative framework on UCGs, and decided to suspend the CAR, and to impose sanctions, including travel ban and asset freeze, on leaders of the Séléka group, besides encouraging its member states to isolate the perpetrators of the UCG⁶⁶. However, as Welz points out, the ECCAS' leaders ended up *de facto* supporting Djotodia's coup as they recognized his lead and "considered him as less problematic than Bozizé" (WELZ, 2018, p. 120).

Already at the ground with MICOPAX' troops and police officers since 2008, ECCAS continued its negotiations independently, and at its Summit of April 18, the sub-regional organization managed to establish an agreed work plan for a transition in the country, which recognized Djotodia's election for the Head of the National Transition Council and gave the country 18 months to work on it, through its N'Djamena Declaration (CHAD, 2013). The Summit also requested AU's support to the MICOPAX, a support for ECCAS' leadership on negotiations (WELZ, 2018, p. 123).

ECCAS decision clearly contradicts the AU normative, but the AU was at some level forced to recognize ECCAS' efforts, even though the suspensions were not lifted to this transitional government and the continental bloc initiated a process of trying to lead the negotiations. Similarly to the Madagascar case, the AU instituted an International Contact Group (ICG-CAR)⁶⁷, which was composed of different countries over its meetings through the years,

⁶⁶ Cf. PSC Communiqué PSC/PR/COMM.(CCCLXIII), 25 March 2013.

⁶⁷ The decision to establish the ICG was taken on the 366th meeting of the PSC on April 16th, 2013, cf. PSC Press Statement PSC/PR/BR.(CCCLVI), 16 April 2013; while the first meeting was held on

but constant members were the ECCAS countries, UNSC countries, African regional powers such as Nigeria and South Africa, and even other global regional powers such as Brazil, India and Japan⁶⁸. International organizations such as the EU, the OIF, the International Conference on the Great Lakes Region, the African Development Bank, the World Bank, and the UN, which also had its own operations on the ground during the conflict also participated on the group. Even though the CAR is also a member of the CEN-SAD REC, we found no evidence or mention to it during this period.

Welz (2018, p.123-124) additionally points out that the ECCAS' request for support nonetheless ended up opening the door for the AU to take over, as the situation of violent civil conflict worsened. On June 17, 2013, the PSC approved the establishment of an African-led International Support Mission for the Central African Republic (MISCA for its French acronym), constituted by the contingents serving under the MICOPAX and added personnel⁶⁹. Then, on September 2013, concertation meetings between the AU and ECCAS were held in Addis Ababa, regarding the transition process from MICOPAX to MISCA⁷⁰, and on December, the AU announced the transfer of authority⁷¹.

Even though the organizations have managed to coordinate efforts, it was not without friction. Welz' work (2014; 2016; 2018) highlights the constant competition between ECCAS and the AU, and as much as the sub-regional bloc gave way to the AU operation, it also managed to retain influence of the events, by appointing a special representative office that remained in the CAR, and by maintaining strategic control, as they were the main troop providers for MISCA (WELZ, 2018, p. 125). The author also affirms that the tension between the AU and ECCAS provoked consequences as “they delayed the MICOPAX–MISCA transformation, thus leaving a political vacuum. That in turn led to (or at least failed to halt) the deterioration of the security situation” (WELZ, 2016, p.13), as amid the concertation between the

May 3rd. See also the press statement for its inaugural meeting, available at: <<https://www.peaceau.org/uploads/press-statement-gic-rca-03-05-2013.pdf>>.

⁶⁸ The meetings Communiqués present slightly different compositions over time, but that demonstrate the international community engagement with the serious conflict over time. For more information, see for instance the minutes of the Second and of the Seventh ICG-CAR meetings, available at: <<http://www.peaceau.org/en/article/communiqué-of-the-2nd-meeting-of-the-international-contact-group-on-the-central-african-republic-icg-car>>; and <<http://www.peaceau.org/uploads/auc.conclusions.7th-meeting.icg-car.16-03-2015.pdf>>.

⁶⁹ Cf. PSC Communiqué PSC/PR/COMM.1(CCCLXXX), 17 June 2013.

⁷⁰ See also the documents on the transition process available at: <http://www.ceeac-eccas.org/images/traites/conclusions_UA_CEEAC.pdf>

⁷¹ Cf. PSC AU. “Transfer of authority from MICOPAX to MISCA”. Available at <<https://www.peaceau.org/en/article/transfer-of-authority-from-micopax-to-misca>>

RO's, the CAR then faced another menace, the rise of the “anti-Balaka” group a revenge movement against the Séleka.

With the worsening of the conditions, the ECCAS once again managed to sustain its influence on the CAR, taking a lead as its members were responsible to negotiate and pressure president Djotodia to step down from power on January 2014, as he was seen as unable to restore the order in the country (WELZ 2016; 2018). Consequently, a new transitional government was constituted, but with the grave state of circumstances, intervention was taken over by other international actors, such as the UN, the EU and France, CAR's former colonial power.

As the UN approved the deployment of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) on April 2014, the AU military operation finally was absorbed by the global organization on September 2014 (WELZ, 2018, p.129). Reports from the ISS Africa also affirm that from that moment on, “ECCAS and the AU then resorted to playing second fiddle, until the AU decided to revive the CAR peace process with its Initiative for Peace and Reconciliation in the CAR, starting in late 2016” (ISS, 2019b). MINUSCA remains in the CAR as of December 2019⁷², since the political and security scenarios continue to be precarious nowadays, but following the successful realization of the 2016 elections, the country was finally readmitted to the AU and the sanctions were lifted⁷³.

Results:

As Welz (2016) underscores, the AU, ECCAS and also the UN felt responsible for crisis management in the CAR, according to their own mandates, and were willing to take the lead, “albeit not consistently over time” (WELZ, 2016, p. 13). The perception of a variance of position through a time lapse is an important observation for the reflections on organizational behavior.

When the coup broke out in 2013, ECCAS had already been dealing with the delicate situation on the ground for a while since the establishment of MICOPAX and therefore the sub-regional bloc demonstrated a reluctance to relinquish power over the negotiations to the AU. The different understandings on procedures after the coup between the organization also generated frictions while the AU followed its UCG normative, suspended the CAR and called upon the restoration of the constitutional order; and ECCAS recognized Djotodia, while

⁷² For more information on the MINUSCA numbers, see also the UN's official webpage on <<https://peacekeeping.un.org/en/mission/minusca>>.

⁷³ Cf. PSC Communiqué PSC/PR/COMM.(DLXXXVI), 31 March 2016.

working on a plan to restore the order to the country. The common ground between the organizations was therefore to cooperate to protect peace and restore stability to the CAR.

Regarding horizontal overlaps among RECs, we found no evidence of action from the CEN-SAD, and therefore no interaction with ECCAS or the AU. As of other regional organizations, the OIF suspended the CAR from its activities as a sanction following the 2013 coup (OIF, 2013), as did the AU, but considering the mediation efforts, the frictions over leadership were locally concentrated on the ECCAS-AU axis. Internationally, a competition between the AU and the UN can also be perceived, and even though this relationship is not the focus of our analysis, we cannot disregard that it also presented itself as a factor for deepening the competition between the AU and ECCAS. Since the African continental bloc strived to be recognized as a force for peace and security in the region, it tended to search for leadership roles, which in turn, provided friction with ECCAS.

The CAR case is extremely complex, a fact that is clearly demonstrated by the fact that the country was only admitted back to the AU almost three years after the coup, in 2016; and the constant scene of social and political crises that have lasted decades. We did not intend to exhaust its particularities on this analysis, as we focus on the relationship between the AU and the RECs, but some factors had a clear impact on the outcomes, both of the conflict negotiations, and of organizational behavior.

One point that cannot be disregarded is the “clear regional dimension” of the CAR’s crisis, as stated by Meyer (2015). In many ways, the organizational behavior during the overlapping mandates was influenced by the regional context and the positions taken not only by the country’s neighbors⁷⁴, but also by important international players such as France or the UN, which had important roles on support and troops deployment.

Lastly, we underscore the high military character of the interventions used in the CAR case. The different mission take-overs, first by the AU upon ECCAS, and then by the UN

⁷⁴ For instance, the CAR conflict has intense links with ECCAS’ member Chad’s politics. As Welz (2014), the country has been perceived as much “as a part of the problem as a contributor to the solution”, as for instance it for years seized control over the CAR situation. It first backed Bozizé’s coup in 2003 and then recognized Djotodia’s leadership in 2013. The countries links go deeper as reportedly opposition to Chadian governments have been formed and based in the CAR, (WELZ, 2014, p. 608), which together with economic and security elements, justifies the strong interests among them. While we acknowledge the profound connection between countries and how these relationships can constitute causalities for the outcomes, we focus our analysis on the types organizational behavior during the conflict, and therefore for further information, see case specific literature, such as the mentioned works by Welz, Meyer and also the International Crisis Group Report, “Central African Republic: Anatomy of a Phantom State”, Africa Report 136, 13 December 2007.

upon the AU, represent moments where the organizations are forced to cooperate (even if at some point they strive to take the lead), and where they admit that the transfer of authority could grant that the organization with more access to financial, human, political and technological resources and experience handles the situation. Thus, considering the gravity of the situation on the CAR and the need of military intervention, the take-overs represent more than a situation of blockade between ROs, as they acknowledge the different capabilities on the ground of each organization, that should be considered, as Welz (2018) recognizes.

3.2.5 Northern Africa

It is very common on African literature to find a separation between the Sub-Saharan part of the continent and the Northern one. That is because the North of Africa is composed mainly of Arab countries with a common ethnical background, separated geographically of the “black Africa” by the Sahara Desert. This division is also understandable as we regard the particularities of the sub-region, that has very close ties with Middle Eastern states, congregated at the Arab League.

Algeria, Egypt, Libya, Morocco, Sudan and Tunisia are a part of Northern Africa. Mauritania, on Western Africa, could be considered as a Northern African country also, as does the UNECA, due to its ties to AMU and the Arab League, as we previously mentioned, even if it is technically mostly in sub-Saharan Africa, with a large part of desertic territory. The Sahrawi Arab Democratic Republic, which is a partially recognized state, member of the AU, is also on Northern Africa, but its territories, on Western Sahara, are occupied by Morocco and a source of conflict for the integration of the sub-region⁷⁵.

Regarding the mandates of the RECs, the Arab Maghreb Union (AMU) and the Community of Sahel-Saharan States (CEN-SAD) are the sub-regional groupings present at the region and none of them has a clear mandate on unconstitutional changes of government. More than that, both ROs have been described by the literature as “slumbering” RECs (BACH, 2016, p.95), as their activities have been limited. Bach (2016) affirms that “the AMU has not even been able to function as a regional political forum due to political tensions over

⁷⁵ Morocco left the AU in 1984 in protest against the recognition of the Sahrawi Arab Democratic Republic (SADR) and was the only African state that was not a member of the continental organization until rejoining in 2017. The scenario of divergent opinions over the sovereignty of the territory of Western Sahara have been a decisive factor of complication on sub-regional relations in Northern Africa, as the neighboring countries have expressed divided support to Morocco and the SADR.

Western Sahara and poor relations with Libya” while CEN-SAD, created by Libya’s Muammar Gaddafi, suffered greatly after the “dramatic exit of its patron and financier” (BACH, 2016, p.95).

The intense event that Bach refers to is the ousting and posterior assassination of Gaddafi on the occasion of the uprisings in 2011, after 42 years in power. The rebellions in Libya occurred on the context of the “Arab Spring”, a series of protests and uprisings that spread across North Africa in 2011 and led to the fall of the governments of Tunisia, Libya and Egypt. At the occasion, the AU did not condemn the ousting of governments according to its politics against unconstitutional changes of government⁷⁶, interpreting that the events were derived from *popular uprisings*, and therefore, respected the people’s “desire for democracy”⁷⁷, which opened a new precedent for the rule which is upon debate to this date⁷⁸.

In fact, in terms of democracy, Northern Africa has one of the longest running ruler’s rates in all of the continent, which also helps the understanding of why the RECs of this sub-region have shown no mandates on this area. For instance, the presidents of Tunisia, Egypt and Libya that fell in the Arab Spring of 2011 had been in power for 23, 30 and 42 years, respectively. As for the other countries, Morocco is a constitutional monarchy, where the king has executive and legislative powers, and king Mohammed VI has been the ruler for 20 years, since the death of his father; while in Algeria and Sudan, their presidents fell in 2019 after 20 and 30 years in command.

Table 2 (p.60) also shows only one relevant case treated as an UCG by the AU in Northern Africa: Egypt 2013. At the occasion, on July 3, the Egyptian army deposed president elect Mohamed Morsi⁷⁹ and the coup provoked mixed reactions from the international community (BAMIDELE, O.; AYODELE, B., 2018)⁸⁰. The case presented particularities on the interpretation of the UCG norm, raising the debate over popular uprisings once more, as

⁷⁶ This does not mean, however, that the AU did not condemn the violence in these countries. The Libyan events prompted reactions not only from the AU but also interventions from international actors such as NATO and the UNSC, for example. For more on the subject see KASAIJA, P. The African Union (AU), the Libya Crisis and the notion of ‘African solutions to African problems’, *Journal of Contemporary African Studies*, 31:1, 117-138, 2013.

⁷⁷ Cf. PSC Communiqué PSC/PR/COMM.(CCLX), 16 February 2011.

⁷⁸ See also: BAMIDELE, O.; AYODELE, B.. In the Service of Democratic Governance: The African Union Normative Framework on Unconstitutional Change of Government and ECOWAS Protocol on Good Governance and Democracy in the Post-Arab Spring. *Journal of Asian and African Studies*, 53(1), 132–146.2018.

⁷⁹ For more information on the events of the coup, cf. “President Morsi overthrown in Egypt” available in <https://www.aljazeera.com/news/middleeast/2013/07/20137319828176718.html>

⁸⁰ As the authors put it “Although many in the international community did not condemn it, neither did they welcome the ouster of Morsi.” (BAMIDELE, O.; AYODELE, B., 2018, p. 139).

the military argued they were acting on behalf of the population and many countries did not manage to condemn the coup itself (TOLERA, 2018).

Regarding our research object, however, the particularity lies on the fact that none of the RECs (neither AMU, nor CEN-SAD) had their own mandates on the issue of democratic crises, therefore generating no *de jure* overlappings. As the political context of the region described above denotes, the agenda of the sub-regional groupings had not been centered on democracy protection or promotion, as in other parts of Africa. The case analysis on Northern Africa could then have been studied under the perspective of a mandate created by the principle of subsidiarity of the African Union, which would generate a *de facto* overlapping mandate as it delegates a role on mediation to the RECs. However, due to the sub-groupings' dormant status, we found no evidence of the evocation of the principle of subsidiarity, nor other sub-regional action on the matter⁸¹.

It then does not completely fulfill the scope conditions for the analysis as the overlapping scenario did not exist *de jure* nor *de facto*. For this reason, this case will not be described in depth as the ones in previous regions, since we cannot observe the behaviors of overlapping ROs, as the overlapping *per se* did not exist. The perceived result therefore is that the sub-regional groupings showcase a non-existent rather than a passive behavior, derived from the absence of their mandate and their organizational paralysis, while the AU took the lead by applying the normative framework on unconstitutional changes of government and suspend Egypt⁸².

3.3 Partial Analysis

Having presented the complex and multiple dynamics of the sub-regions of the African continent, we reiterate the research choice to horizontally cover all the parts, in order to observe different organizational behaviors and not to produce conclusions based on a single or specific experience. While we further develop what types of behavior were identified and the

⁸¹ In June 2019, ISS Africa produced an interesting report on how the northern part of the continent could benefit from a functioning REC, considering that the AMU has not had high level meetings since 2008, and no other REC has taken or been able to take responsibility for primarily ensuring peace and security in Northern Africa. Cf. ISS Africa. North Africa could benefit from a functioning regional organization. PSC Report. 10 June 2019. Available at <<https://issafrica.org/pscreport/psc-insights/north-africa-could-benefit-from-a-functioning-regional-organisation>>.

⁸² Cf. PSC Communiqué PSC/PR/COMM. (CCCLXXXIV), 5 July 2013.

dyadic relationships between ROs on chapter 5, on this section we present a partial analysis of the findings from Africa.

First, while on chapter 2 we have traced the institutionalization of regional projects back to the independence of the African countries, this chapter provides a clearer understanding that the notion of regionalism was not always accompanied by the ideal of democratic protection as it is currently strongly linked. This fact is underscored by the perception of a normative evolution, specially from the 2000s, and its different instances, as even RECs that had initial mandates strictly focused on economic issues have managed to develop provisions on the matter.

Although one of the justifications for the establishment of a mandate on political crises by regional economic integration projects relies on the democratic value for the promotion of economic development, the concept of democracy is also strongly linked to the ones of peace and security, as seen on the ECCAS and SADC cases, for example, which denotes the deep link of the ideal with the perception of stability. This notion is also confirmed by the fact that at the institutional level, the organ of the AU responsible for the implementation of sanctions after an UCG has taken place is the Peace and Security Council, as we have described above.

Regarding the African Union's normative development, some considerations should be made. The continental organization has managed to take a solid stand against UCGs by coining the term and reinforcing its provisions over the years. The existing framework is very direct on listing what ruptures of the constitutional order should be addressed by the Union and what are the organizational procedures to follow at the bureaucratic level for the condemnation.

However, at the same time that the documents have presented a feasible evolution, there are still some flaws to be addressed by the Union. A critic that has been made through the literature speaks to the fact that the provisions only directly tackle the problem of UCGs once they have already occurred, being “much weaker, by contrast, on measures to promote good governance in normal times (i.e. in the absence of major upheaval)” (HARTMANN, 2013; STODDARD, 2017). Thus, AU's actions on UCG remain reactive rather than becoming preventive.

Additionally, another problem can be illustrated by the number of cases that did not get listed as UCGs due to the difficulties of applying the framework. We mentioned through the chapter the cases of Lesotho 2014, Zimbabwe 2017, and also the popular uprisings of the

Arab Spring in Tunisia, Lybia and Egypt in 2011, but even those are not the only cases that have prompted an AU intervention over the past years⁸³.

Consequently, there is a perceived gap between policy creation and implementation in Africa. This gap is also a result of two complementary factors regarding democratic concepts: for once, when it comes to definitions, even if the African Charter provides a list of principles concerning the meaning of “democracy”, among AU countries and sub-regions there is a huge variation regarding the presence and implementation of democratic regimes. Thus, achieving consensus between states and ROs on what is acceptable or how to act becomes difficult and subject to interpretation. For example, while the Burundian case violated the norms when Nkuruzinza decided to run for a third term, on neighboring Rwanda President Paul Kagame managed change the constitution on the same year of 2015 and he is currently saving his third term in office.

On table 4, Hartmann (2017) illustrates the differences on “democratic density” between African sub-regions by evaluating the average years in office of the heads of state of the RECs in the sub-Saharan part of the continent. Even though North Africa is not listed, the compiled data presented on the previous section demonstrated that among AMU countries, until recent events such as the Arab Spring, governments were lasting 20, 30, even 42 years on the case of Libya. The approach on leadership transitions is thus presented here as an indicator for the different understandings of “democracy” among the sub-regions that play an important role on the interpretation of UCG cases.

Table 4 – “Democratic Density” on African sub-regions

Regional Organization	Average years in office of all member states heads of state
ECOWAS	5.7
SADC	8
EAC	13.2
IGAD	16.2
ECCAS	19.5

Source: HARTMANN, 2017⁸⁴.

⁸³ For instance, on a brief mapping, we have also identified the AU’s intervention in Comoros (2007), Somalia (2007), and Sudan (2006), but due to their characteristics of peacekeeping missions on the account of civil wars or rebel conflicts, they are not integrated under the same framework as UCGs, even if their motivations threaten the legitimacy of the central power of those countries.

⁸⁴ Hartmann clarifies that his calculations refer to January 2017 and do not consider Gambia’s Jammeh’s presidency nor data for Somalia; and that for parliamentary states such as Ethiopia, Lesotho and Eswatini, the results refer to the tenure of prime ministers.

Moreover, the second factor represents a practical flaw derived from the shortage of a definition of what conditions represent that the constitutional order has been restored after the UCG intervention. This position is also sustained by Dersso (2017), that argues that in some cases, the understanding meant the restoration of the ousted head of state, while in others, like the Madagascar case, it was the realization of free elections. Thus, procedurally, the regional organizations are not yet consistent on a route to follow, adapting to the conditions on the ground. While this adjusting can be beneficial by addressing direct needs, it also has consequences on a scenario of overlapping competencies, since with an open space to act and negotiate, frictions can emerge with the sub-regional ROs on procedures, and cause the delay or inefficiency on the conflict resolution, as several of the cases have shown. The two above-mentioned factors can be further understood as we advance to the analysis of the sub-regions and their role on political crises.

A very important particularity of the African continent for the studies of overlapping regionalism is the role played by the AU on intending to organize the relationship among the sub-regional blocs. In theory, by regulating the interplays, organizational behavior would become more predictable and cooperative, but the available standards have demonstrated to be still insufficient. Even though the RECs technically function as subsidiary bodies of the AU in the sub-regions in many aspects, they are independent bodies and have discretion to act. Thus, the unclear division of labor, in spite of the principle of subsidiarity, makes the implementation of the norms subject to the specificities of each sub-region's political will.

Furthermore and according to the different interpretations on democracy, there is also a notorious difference between normative provisions on UCGs at the sub-regional level: while ECOWAS has clear provisions, SADC and ECCAS have managed to develop mandates linked to their peace and security institutions, the EAC only mentions democracy as a principle for the organization and AMU has no provisions. The other three RECs which were not involved on the available cases are CEN-SAD, which has no democratic provisions due to its own political background, as we have already mentioned; and COMESA and IGAD, which have included the promotion of democracy, good governance and the rule of law on their mandates, with early warning mechanisms and security units, but no provisions specifically on UCGs were found⁸⁵.

⁸⁵ For more information on their Peace and Security instances, see <<http://www.igadssp.org>> for IGAD, and <<https://www.comesa.int/services/governance-peace-and-security-unit/>> for COMESA.

Table 5 – Compilation of the sub-regional normative framework on UCGs

Regional Economic Community	Provisions on democracy (as principle/an element for peace and security)	Direct addressment of UCGs
AMU	No	No
CEN-SAD	No	No
COMESA	Yes	No
EAC	Yes/No	No
ECCAS	Yes	No
ECOWAS	Yes	Yes
IGAD	Yes	No
SADC	Yes	No

Source: author's elaboration

Having a normative framework is definitely a first step but having the capability to execute it is also something that differs starkly among the RECs. For instance, SADC and ECCAS might have found a similar way of justifying their mandates but their capacities on the ground are very different due to the economic, political and security conditions surrounding the member states that compose the organizations. Furthermore, the presented cases have shown that the normative framework is not a conditioning factor for action, as ECOWAS is the only sub-regional bloc that directly addresses UCGs, and the EAC led the mediation on Burundi, even without a normative provision on democratic interventions.

At the same time, the existence of a normative framework in the sub-regions presented a clear connection with the cases' outcomes and the organizational behaviors. To exemplify, ECOWAS has the better institutionalized provisions on UCGs, the highest democratic density from table 4 and it is the REC that has reacted to and condemned more political crises over the past years. On the other hand, the AMU has no provisions, has the lowest democratic density and has not acted; and the EAC that also has no provisions did act, but did not manage to condemn an UCG, which was precisely the reason for the AU deadlock. As for the other regions that do have frameworks on democracy protection but not on UCGs, the absence of an institutionalized approach has demonstrated to limit the capacity of action upon a conflict to the mercy of the involved political actors.

Regarding the division of labor among the horizontally overlapping RECs, there is also no definition of which of the blocs should be in charge of the negotiations when a country is a member of more than one. To cite the Burundian case again, since the EAC had no provisions, the crisis could have been also dealt with by COMESA or ECCAS, the two other RECs to which the country is affiliated. Thus, it is up to the RECs to decide who takes the

“driving seat” on the negotiations, and interestingly, none of the analyzed cases presented horizontal competition.

As for the relationship between the AU and the RECs on the vertical overlappings, the general finding affirmed that the overlappings, *de jure* or *de facto*, have propelled the sub-regional blocs to strongly position themselves in order to have their leadership recognized. This situation occasioned competition through cooperation, deadlocks and delays, and even fragmented cohesion in some points, as the sub-regional ROs tend to see themselves in a better position to act, closer to the sub-regions’ interests.

Thus, the existing normative framework presents the need not only of better definitions but of the harmonization of them and their policies at the regional and sub-regional levels. Still, on a positive note, the Gambian case demonstrates that the concertation between regional organizations can also be achieved through experience and learning: as ECOWAS has dealt with more cases and developed a more solid stand against the UCGs, after many frictions, the AU seems to have learned how to cooperate with ECOWAS without delegitimizing the other bloc’s actions or its own. In fact, synergic cooperation has actually legitimized both RO’s stands against democratic ruptures, and consequently, reinforced the continent’s provisions.

4 OVERLAPPING ORGANIZATIONS AND POLITICAL CRISES IN SOUTH AMERICA

On the first chapter we presented an introductory definition of what would be taken under the category of analysis of political crisis on this thesis: democratic ruptures and the disruption of the constitutional order. While on the previous chapter the regional context of Africa presented the need to establish criteria to slim case selection through the choice of analyzing Unconstitutional Changes of Government (UCGs), on this chapter we similarly present the criteria and the normative framework on democratic protection in South America, before moving on to case study.

Regional organizations in the American continent do not present the same normative specificity of addressing UCGs, but, instead, almost all of them have managed to install democratic commitments, both as a membership criterium, and as mandate. The adoption of the so-called Democratic Clauses is then the normative framework envisioned for this chapter, in a symmetry accordance with the African criteria, as they both take a stand against disruptions of the constitutional order and enunciate the procedures to be taken by the ROs.

Upon studying the regional context, some common features become noticeable, as for instance the occurrence of authoritarian regimes through the 1960s until the 1980s on almost all of the South American Countries⁸⁶, and the democratization processes developed on the 1990s, as shown on Table 6, on the next page. Thus, the region was also impacted at the end of the Cold War by the “third wave of democratization” (HUNTINGTON, 1991) that we previously mentioned for Africa, and its effects can be perceived on the formation of regional preferences and standards on democracy that followed.

For instance, the adoption of Democratic Clauses was traced as a consequence to this democratization process, as a way to regionally avoid the repetition of autocratic governments. In fact, Closa, Palestini and Ortiz (2016, p.27) affirm that in the 1990s there was a perception that “economic integration and democratization were mutually reinforcing processes”, which was supported by initiatives from the United States “designed to promote free trade, hemispheric integration, and the promotion of democracy in Latin America”⁸⁷.

⁸⁶ Mainwaring and Pérez-Liñán (2014) affirm that the only countries in Latin America that have not underwent an autocratic regime at this period were Colombia and Venezuela. Nevertheless, we found no data as well for Guyanan regimes to be added to table 6.

⁸⁷ The authors illustrate this affirmation with the proposition of the Free Trade Area of the Americas (FTAA or ALCA), that we mentioned on chapter 2. Even though it ended up not being concretized, it provides a clear image of the USA’s aspirations for the region.

Table 6 – Authoritarian regimes in South America until 1990⁸⁸

Argentina	1976-1983
Bolivia	1971-1978
Brazil	1964-1985
Chile	1973-1990
Colombia	n/a
Ecuador	1963-1979
Guyana	n/a
Paraguay	1954-1989
Peru	1962-1980
Surinam	1980-1987
Uruguay	1973-1985
Venezuela	n/a

Source: author's compilation, partially based on MAINWARING; PÉREZ-LIÑÁN, 2014.

Therefore, when refining the criteria for the case selection, we acknowledged the timeframe of the 1990s as the first moment that mandates were clearly established on democracy protection in South America, even if the ROs that were created prior to this moment, such as the Organization of the American States or the Andean Pact had already mentioned it among its principles before. However, due to the time elapsed from the first democratic commitments until their ratification and entry into force, research demonstrated that the overlapping mandates on democracy promotion and protection were only consolidated on the 2000s. Since we also consider overlapping actions, we traced the possible cases of concurrent interventions prior to the ratifications, but the data also demonstrated to not fit the scope conditions, as we discuss below.

All things considered, the final research cut then addresses political crises such as democratic ruptures that have caused the disruption and questioned the legitimacy of the constitutional order, based on the definitions ratified on the Democratic Clauses, also known as Mechanisms for Democracy Protection (MDPs) (CLOSA, PALESTINI, ORTIZ, 2016). As the object of this study are the possible behaviors of regional organizations in overlapping situations, the cases also had to fit these scope conditions, and provide behaviors for the analysis.

For the chapter's development, we bring back the three questions that have guided the African normative study, before moving on to case analysis:

- 1- What are the norms that define the need of action in the case of a political crisis?

⁸⁸ Table 6 presents a compilation of the period where military/ authoritarian governments were in power in South America, even though some countries presented brief returns to the democratic spectrum prior to finally achieving democratization, on the listed years.

- 2- In what context were these norms created?
- 3- What are the procedures that follow once a case is identified?

The data collection also followed the same criteria from the previous chapter, by using primary sources, such as the documents of the ROs, and secondary ones, with case specific literature combined with journalistic articles from the time of the democratic breaches. This process was facilitated since unlike Africa, in the case of South America, the recent production on the subject has already attempted to systematize the effects of overlapping regionalism over the cases of political crises that occurred in recent years, through two main works by Brigitte Weiffen (2017) and Detlef Nolte (2018). Additionally, other works such as Hoffmann (2016) and Closa, Palestini and Ortiz (2016), have compiled the democratic interventions in Latin America.

By combining the two literatures on overlapping organizations and on MDPs and interventions, we then reached a list of cases of political crises and attempts that interrupted the constitutional order, which can be seen on Appendix D, then filtered the ones whose breaches propelled interventions, according to the normative framework, and finally selected the ones with overlapping actions or mandates, as shown on table 7 below:

Table 7- Democratic breaches in South America with overlapping ROs

Country	Year	Political crisis	Regional Organizations
Ecuador	2010	Attempted coup	OAS CAN ALBA UNASUR
Paraguay	2012	Removal of the executive	OAS UNASUR MERCOSUR
Venezuela	2013-ongoing	Questioning of electoral outcome, constitutional rupture and political violence	OAS ALBA UNASUR MERCOSUR

Source: Author's elaboration, adapting from CLOSA; PALESTINI; ORTIZ, 2016.

While some very interesting works by the literature have also addressed political crises such as the Paraguayan attempted coups in 1996 and 2000⁸⁹, and the Bolivian political

⁸⁹ At the occasion of the first coup attempt, in 1996, General Lino Oviedo, a military chief, threatened to oust President Juan Carlos Wasmosy, the first civilian elect president after more than thirty years of military rule. Even though the coup failed, Oviedo tried to run for presidency in 1998, but was arrested, managing to elect an ally. The political tensions grew over time, and escalated with an unrest after the assassination of vice-president Argaña and of protesters in 1999; the resignation of president elect Raul Cubas (accused to be involved on the assassination of Argaña, together

conundrum of 2008, they do not fall into the scope of this analysis, as they do not fulfill the conditions established by the research cut.

The first one because at the time MERCOSUR did not have a clear mandate over democratic ruptures. In fact, it was the coup attempt in Paraguay in 1996 that inspired the MERCOSUR's normative provisions that came after it, starting with a presidential declaration, and then a protocol, in 1998. Therefore, as MERCOSUR did not have provisions on democracy protection at the time of the first failed coup and they were not in force by the second attempt, these cases did not produce a *de jure* overlapping. We could have considered a *de facto* overlapping between MERCOSUR and the OAS, but while in 1996 the main mediators for the crisis that have managed to prevent the coup from happening were Brazilian, American and Argentinian diplomats⁹⁰, in 2000 the ROs took no concrete action to mediate the crisis (WEIFFEN, 2017, p.187), exerting only diplomatic pressures. Even though mediators from Paraguay's associates Brazil and Argentina acted on the best interests of MERCOSUR, declaring that preventing a coup was essential for the bloc's activities, the interplay was not concentrated between OAS and MERCOSUR, but rather a fruit of diplomatic efforts, and thus not as interesting for the analysis of organizational behavior.

As for the Bolivian crisis, at first, it was first considered to be included on the thesis, but it also does not exactly fall on the scope of a democratic rupture as described by the relevant protocols, as it did not consist of a violation such an interruption of the constitutional order, a coup nor a removal from power, but represented a domestic conflict that jeopardized the legitimacy of the central government, with no success. Since we did not include this type of cases for Africa, we also do not include them here⁹¹. Even though the political crisis could have escalated or could be understood as a risk to the functioning of democratic institutions, the role played by the ROs at the time was of support for the central government. Furthermore, legally, only the OAS had established a normative framework at the time, as the CAN protocol was not in force, and UNASUR did not have provisions on the matter yet.

with Oviedo), and finally another attempted coup, staged by Oviedo's followers, occurred in 2000, but managed to be contained.

⁹⁰ An interesting article written in 2015 by Marcio de Oliveira Dias, Brazilian former ambassador in Paraguay for the "O Globo" newspaper highlights the action of Brazilian diplomat Sebastião do Rego Barros Netto, on the negotiations following the coup attempt in 1996. The full story can be read at <<https://oglobo.globo.com/mundo/artigo-quando-brasil-ajudou-impedir-golpe-de-oviedo-18166197>>.

⁹¹ The original analysis that had been previously written for the Bolivian case can be read on Appendix C.

While this research cut is centered on democratic ruptures, treated accordingly with the regional normative framework in force, we clarify that by listing out these mentioned cases we do not mean to affirm that they had no overlapping actions in place at all, even if no overlapping *de jure* was perceived. The OAS did react to both crises, MERCOSUR member states backed up the diplomatic efforts in Paraguay; and UNASUR's leaders showed capacity of agency dealing with Bolivia. It is thus a matter of the type of crises or organizational responses that did not fit the scope conditions to analyze the ROs' behaviors.

If the examples of Paraguay and Bolivia illustrate reasons why cases were cut out of the analysis, another event that could have been considered is the impeachment of President Dilma Rouseff in Brazil, 2016. Though many affirmed it consisted of a *parliamentary coup*⁹², the impeachment propelled no overlapping responses or sanctions from the competent ROs, as according to the frameworks⁹³. Thus, cases that presented no overlapping were also left out as they do not provide organizational behaviors for the analysis.

In terms of structure, this chapter follows a similar organization to the previous one in order to allow a very clear panorama for both regions: first, we address the mechanisms for democracy protection issued by continental or the most comprehensive ROs: OAS, CELAC and UNASUR, and then proceed to the investigation of sub-regions individually, and the corresponding responses for political crises through case analysis. The sub-regional divisions address the "Andean" America and the "Southern Cone", as seen below.

4.1 Development of the normative provisions on democracy in the American continent

Before advancing to the analysis and development of the normative framework on democracy protection in the Americas, it is essential to acknowledge the distinction between the composition of the organizational overlaps in Africa and in the Americas. While the similarity between the African Union and the Organization of American States relies on them both

⁹² On the idea of a parliamentary coup, cf. SANTOS, F; GUARNIERI, F. From Protest to Parliamentary Coup: An Overview of Brazil's Recent History, *Journal of Latin American Cultural Studies*, 25:4, 485-494, 2016. Available at <https://www.tandfonline.com/doi/pdf/10.1080/13569325.2016.1230940>.

⁹³ During the impeachment process some countries and organizations expressed their concern with the democratic situation in Brazil and raised the possibility of studying forms of sanction if it was understood that the removal from office of the president had violated the constitutional order. On this topic see also *Jornal Nexos*' analysis of how UNASUR and the OAS saw the impeachment process: <https://www.nexojournal.com.br/expresso/2016/04/17/Como-OEA-e-Unasul-veem-o-impeachment.-E-qual-o-risco-de-Temer-nao-ser-reconhecido>. However, after the process was finalized, no formal action was taken by the ROs and Brazil had no sanctions applied.

being continental groupings, they are not equivalent in a sense that the OAS does not try to congregate other sub-regional blocs as an umbrella organization, like the AU. Therefore, describing different scenario sets allows the consideration of different regional behaviors under distinct overlapping conditions.

Also, as the study of the normative frameworks will further demonstrate, the institutionalization of the MDPs in the Americas follow a different pattern, since the idea of democracy is not directly linked to peace and security, and there is no institution such as the AU's Peace and Security Council neither at the continental nor the sub-regional level. Interventions such as the military ones occurred in Africa have never happened in South America, and democratic preservation is generally linked with the goal of maintaining stability for economic development. Even so, the multiplicity of regional propositions constitutes a unique overlapping mandate in the Americas, and therefore we analyze its effects by following the principles of comparative regionalism and studying each region's own experience.

While we mapped the regional organizations in Latin America in chapter 2, we identified the Pan-American ideals and the presence of the United States as a hegemon as a driver for the creation of the Organization of the American States in a post-conflict world in 1948. Thus, initially with security concerns, OAS ties to democracy go as far as its creation but are limited to appearing as a principle in the oldest running regional organization in the Americas.

With the fragilities the governments of the region underwent with authoritarian regimes and the Cold War, the significative elaboration on the issue came with the democratization process and the signature of the Protocol of Amendment to the Charter of the Organization of American States "Protocol of Cartagena de Indias", in 1985. The amendments, which entered into force in 1988, further emphasized democracy as a principle for the relationship between member states, but also commissioned to the OAS the responsibility to promote and consolidate the mentioned value, and described it for the first time, by affirming that "representative democracy is an indispensable condition for the stability, peace and development of the region" (OAS, 1985).

The next normative development was the adoption by the OAS General Assembly in 1991 of Resolution 1980. It was the first document to describe procedures to be followed, since it instructed the organization to convene a meeting of the Permanent Council once it had identified "any occurrences giving rise to the sudden or irregular interruption of the democratic political institutional process or of the legitimate exercise of power by the democratically elected government in any of the Organization's member states" to evaluate the situation and

then “adopt any decisions deemed appropriate, in accordance with the Charter and international law” (OAS, 1991).

This resolution was subsequently supported by the adoption on the following year of the Protocol of Amendment to the Charter of the Organization of American States “Protocol of Washington”. The document described the possibility of sanctioning a member state with suspension from the organization’s activities, after diplomatic initiatives, if the constituted government had been “overthrown by force” (OAS, 1992). After ratification and deposits, the Amendment entered in force in 1997.

One last document that should be highlighted is the Inter-American Democratic Charter (IADC), signed in 2001, which, according to Closa, Palestini and Ortiz, currently constitutes OAS’ “most complete mechanism” for democracy protection. In fact, the IADC enumerates what elements are essential for the exercise of representative democracy (art. 3), which should include

“inter alia, respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, the holding of periodic, free, and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people, the pluralistic system of political parties and organizations, and the separation of powers and independence of the branches of government” (OAS, 2001).

Articles 4-6 go further to address issues such as transparency in government activities, freedom of expression, the strengthening of political parties and the participation of all citizens as a necessary condition for the full exercise of democracy. But it is IADC’s democratic clause characteristic that calls the attention, since it enlarged OAS’ scope of action on unconstitutional ruptures.

Weiffen (2017, p.181-182) explains that the IADC’s adoption followed the necessity of addressing other challenges on the region: while in the 1990s the documents targeted the sanctioning of coups and coup attempts, the IADC, created in the 2000s, “emerged as a reaction to a different type of threat, the so-called self-coups and other instances of authoritarian backsliding of the 1990s”. Therefore, the author highlights the distinction then adopted between unconstitutional interruptions and alterations, which can be seen as article 17 goes beyond rejecting the overthrow of governments by force to also covering threats to the “democratic political institutional process or its legitimate exercise of power” (OAS, 2001). Additionally, article 19 further details the actions to be condemned by affirming that facing “an unconstitutional interruption of the democratic order or an unconstitutional alteration of the constitutional regime that seriously impairs the democratic order in a member state” repre-

sents an “an insurmountable obstacle” for the affected party’s participation in the Organization (OAS, 2001).

The procedures advised on the Charter to be taken after the identification of a breach follow the pattern of the previous documents, with the Permanent Council being responsible to adopt diplomatic initiatives and take the appropriate decisions. The possibility of sanctions is described if those actions fail, with the approval of the General Assembly. By determining that there was an interruption of the democratic order of a member state, with an affirmative vote of two thirds of the member states, the General Assembly can proceed to suspend the affected country, in accordance with the OAS Charter (OAS, 2001, art.21).

After the OAS, two other regional organizations are endowed with a more comprehensive character in terms of affiliations, but they represent different ideas for the region: while the OAS comprehends all of the American Countries, the Community of Latin American and Caribbean States excludes the USA and Canada and represents only the Latin countries; and Union of South American Nations comprises only the countries of South America. While the OAS is a result of the pan-Americanistic trend of organization building we described on chapter 2, the two other initiatives would be a fruit of the Latin conception of the Americas. The proposition of this initiatives also come in a much posterior moment, in a different wave of regionalism, and this knowledge becomes useful for the understanding of the inspirations behind these regional organizations, their behaviors, and their stand on representing the region. Even though UNASUR has a regional dimension more limited than CELAC, we start the normative analysis with the first due to temporality reasons.

So, while introducing UNASUR’s normative provisions, as we have abovementioned, we bear in mind its posterior timing and thinking than other provisions here presented and consider them as a result of the accumulated knowledge and experiences of the continent, on a post-hegemonic regional moment, with social and political inspirations. To illustrate, when UNASUR was still an embryo, at the first meeting of South American presidents in 2000, inspired by MERCOSUR and CAN’s democratic clauses, that had already been adopted, the heads of state issued a declaration where democracy is featured specially in a section, affirming its value as a clause for participation in any future projects of the region, and an essential condition for integration (REUNIÃO..., 2000).

However, Weiffen (2017, p.183), affirms that the democratic priority that had surged in the 1990s after the fall of autocratic governments, prior to the creation of UNASUR had lost its salience by the mid-2000s, and thus its Constitutive Treaty of 2008 makes swift mentions to the theme. Even so, it is notable that the inclusion of the democratic concern in the

2000s comes in a different pattern than in other moments, as seen by the bloc's constitutive agenda. By comparison, the UNASUR Treaty mentions the word five times, while MERCOSUR's Asunción Treaty (1991) does not mention it and CAN's Cartagena Agreement (1969) does it once.

The Treaty stipulates the strengthening of democracy as an objective on article 2 and ratifies the full validity of the democratic institutions as an essential condition for the development of a common future. It values it as one of its principles, and reaffirms the political and social character of the post-hegemonic regional projects by affirming that the political concertation will serve as a way to preserve the democratic values of the member states (art. 14), and by indicating the will to reduce the democratic deficit through social participation (art.18) (UNASUR, 2008a).

Nevertheless, shortly after UNASUR's creation, a political crisis in Bolivia (2008), and the attempted coup in Ecuador (2010), propelled the organization to institutionalize its democratic concern with the adoption of the Additional Protocol to the Constitutive Treaty of UNASUR on Commitment to Democracy, as we further indicate while analyzing the Ecuadorian crisis below. The new document, also known as Georgetown Protocol, was signed in November 2010 and is supposed to be activated in "the event of a breach or threat of a breach of the democratic order, a breach of the constitutional order or in any situation that jeopardizes the legitimate exercise of power and the validity of democratic values and principles" (UNASUR, 2010, art.1).

Article 2 allows the affected country or another member state to notify the organization upon the occurrence of a situation abovementioned described, that should then be addressed by the Council of Heads of State and Government (or the Council of Foreign Ministers in the absence of the first), to impose sanctions that can range from:

- Suspension of the right to participate in the different organs and instances of UNASUR, as well as the enjoyment of rights and prerogatives within the scope of UNASUR's Constitutive Treaty.
- Partial or total closure of land borders, including the suspension or limitation of trade, air and sea transport, communications, energy supply, services and supplies.
- Promote the suspension of the affected State within the scope of other regional and international organizations.
- Promote, before third countries and / or regional blocs, the suspension of the rights and / or prerogatives of the affected State under the cooperation agreements to which it is a party.
- Adoption of additional political and diplomatic sanctions. (UNASUR, 2009, art.4).

It is also affirmed that the sanctions should be applied in conjunction with diplomatic efforts to restore the order on the affected country (art. 5), but more interestingly, it offered the possibility of acting prior to the violations, by recurring to the Council of Heads of State and Government to “require concrete concerted cooperation measures and UNASUR's pronouncement to defend and preserve its democratic institutions” (UNASUR, 2010, art.6).

The Additional Protocol should enter into force after the ratification and deposit of the instruments of nine out of the twelve member states of the bloc. The landmark was achieved in February 2014, with Uruguay's ratification⁹⁴ and deposit, since Guyana, Peru, Chile, Argentina, Venezuela, Surinam, Ecuador and Bolivia had previously done it. As for the remaining countries, Brazil managed to internalize the democratic clause in 2018⁹⁵, but likewise Colombia and Paraguay, we found no evidence of the deposit of the instruments afterwards.

Accordingly, UNASUR's democratic clause was not in force at the moment any of the crises analyzed by this chapter started, becoming valid amid the Venezuelan political stability in 2014. Nonetheless, ever since its creation, UNASUR sought to be a political voice for South America, producing thus overlappings in action to be analyzed on the next sections.

Finally, the last regional mechanism of continental dimensions is the CELAC, which has similar foundational inspirations to UNASUR, in terms of political and social commitments, but it has not managed to become institutionalized, as the other organizations. Upon its creation in 2011, the Caracas Declaration “In the Bicentenary of the Struggle for Independence Towards the Path of Our Liberators” made references to the democratic values and democracy strengthening (CELAC, 2011a), but did not establish a normative framework for democracy protection.

The Special Declaration about the Defense of Democracy and Constitutional Order in the Community of Latin American and Caribbean States was additionally signed in Caracas, adopting a democratic clause for the organization that enables the affected state to notify the Pro Tempore Presidency, in order to preserve the democratic stability (CELAC, 2011b). Once a violation is recognized, CELAC should perform diplomatic efforts for the restoration and could then impose a suspension from the organization as a sanction. Closa, Palestini and Ortiz (2016, p.44) note, however the “unusual character” of CELAC, as it “does not have a constitutive treaty of *hard law* in the strict sense” and thus its Special Declaration “does not have

⁹⁴ The official communiqué issued by the Uruguayan Ministry of Foreign Affairs can be read at <<https://www.gub.uy/ministerio-relaciones-exteriores/comunicacion/noticias/uruguay-deposita-instrumento-de-ratificacion-del-protocolo-democratico-de>>.

⁹⁵ Cf. DECRETO LEGISLATIVO N° 175 DE 2018. DOU (Diário Oficial da União) - 17/12/2018

the status of a norm of international law, so that, strictly speaking, it cannot be called a democratic clause”.

Having analyzed the normative framework of the most comprehensive regional organizations, we move to the analysis of the sub-regional blocs and their democratic crises’ response mechanisms on the next sections.

4.2 Sub-regional provisions, responses and case analysis

Another relevant difference between Africa and the Americas is the form we have chosen to present and work with subregions, since we have chosen to work with South America as a regional case, and not the whole continent, as we mentioned on chapter 1. The explanation for this choice relies on the understanding presented on chapter 2 that the institution building in Latin America was based on a logic of disaggregation, in interconnected sub-regions such as the Andean America, the Caribbean, Central America, Southern Cone, Northern America (PHILLIPS, 2005). Additionally, upon constructing the regional mapping, the inductive research demonstrated that the dynamics of each sub-region are very particular, with different geopolitical and economic underlying conditions, and that South America presented a great complexity on its own, with different overlapping organizations. Besides, including Central America, the Caribbean or Northern America would introduce a distortion element, as the United States plays a hegemonic role that is more strongly perceived on the countries of those sub-regions than in South America due to economic dependencies that could influence the outcomes of ROs’ behaviors.

If we started this section by mentioning one difference between the two regional cases of study, one similarity perceived would be the fluidity of the sub-regions and how states see themselves as belonging to them. As a form of illustration, the African analysis demonstrated that one country can be perceived as an Eastern and as a Southern country at the same time and dividing sub-regions in South America was equally as challenging. For instance, Venezuela is geographically an Andean and a Caribbean country, but is a member state to the Southern Cone regional organization, MERCOSUR.

Therefore, when dividing the sub-regions’ sections, we considered the regional organizations that are located on its geographical space and placed the within case analysis accordingly to the most relevant ROs involved on the overlapping crisis mediation. To resume with the Venezuelan example, the political crisis occurred in the country from 2013 onwards (here presented on section 4.2.2.2) could have been debated on the Andean sub-region, due to the

country's physical location and even due to its ALBA membership, but as a member of MERCOSUR, and considering this RO's prominent role on the crisis, it is thus presented on the Southern Cone section.

The countries geographically located on the Andean sub-region are Bolivia, Chile, Colombia, Ecuador, Peru and Venezuela and for the normative framework study, the ROs' provisions of CAN, ALBA-TCP and the Pacific Alliance, are explored. As for the Southern Cone, Argentina, Brazil, Paraguay, Uruguay are physically on the sub-region, and Venezuela is included by its affiliation to MERCOSUR, the applicable sub-regional organization. Guyana and Surinam are the only two out of the twelve South American countries that are not a part of those sub-regions, since they are not members to the mentioned sub-regional process, albeit being associate members of MERCOSUR, but are members to the regional blocs UN-ASUR, CELAC and OAS.

One last relevant piece of information is that in South America there is no such thing as a subsidiarity principle, as the one adopted by the AU and its RECs, and therefore no hierarchy of action among ROs.

4.2.1 The Andean sub-region

In 1969, the Andean Pact, predecessor of the Andean Community, was created through the signing of the Cartagena Agreement. At this first moment, the regional organization affirmed to be sustained by the principles of equality, justice, peace, solidarity and democracy (CAN, 2019), and was composed by Bolivia, Chile, Colombia, Ecuador, Peru, and Venezuela, that adhered to the RO in 1973. Chile left the organization in 1976, but with the decline of the dictatorships that had affected the member states through the continent during the following decade, in 1980, the heads of State signed the Conduct Letter of Riobamba, which reaffirmed the sub-regional integration bloc's principles and described as a goal the type of political order to be promoted, "generated in a democracy of popular extraction and defined participatory character, without prejudice to the principles of self-determination of peoples, non-intervention and ideological pluralism" (CAN, 1980).

This definition of democracy contained on the Conduct Letter was one of the most descriptive ones seen on the normative frameworks at its time, undoubtedly very forward, as the majority of the neighboring countries were still experiencing autocratic regimes. However, the democratic commitment only advances into a formal legal instrument almost two decades afterwards, in accordance with the region's political context, which after the democratization

occurred on the late 1980's and early 1990's, sought to prevent authoritarian rules on the sub-region.

In 2000, following a Presidential Declaration on Democracy and Integration of 1998, the CAN adopted the Additional Protocol to the Cartagena Agreement “the Andean Community Commitment on Democracy”. This document affirms the consolidation of democracy and the rule of law as a foreign policy objective of the organization and establishes a mandate to act upon a rupture of the democratic order (CAN, 2000, art.3). The described procedures to follow the confirmation of a breach include the adoption of sanctions that might include:

- a. The suspension of the participation of the member state in any of the organs of the Andean Integration System;
- b. The suspension of participation in international cooperation projects developed by member states;
- c. The extension of the suspension to other organs of the System, including the disqualification of access to facilities or loans by the Andean financial institutions;
- d. Suspension of rights derived from the Cartagena Agreement and consultation of an external action in other areas; and
- e. Other measures and actions that are considered relevant in accordance with International Law. (CAN, 2000, art. 4).

Conversely, the Additional Protocol has never been applied, even upon the occurrence of political crises on member states after its adoption. Article 9 explains that the document should enter into force when all member states have deposited the instrument of ratification at the General Secretariat of the CAN. Since Venezuela left the organization in 2006, Peru (2000), Bolivia (2001) and Ecuador (2003) have completed the procedures, but the CAN archives do not include the Colombian instruments⁹⁶. Mapping the internalization at the national level in Colombia, it was possible to identify that the law managed to be approved with reservations by the Constitutional Court in 2004⁹⁷, but there is no evidence that the country finalized the deposit of the instruments, thus rendering the Additional Protocol not yet valid, a possible causality for its non-application.

The other ROs to which the Andean countries are also affiliated are the Pacific

⁹⁶ The complete list of deposited instruments of the Andean Community can be accessed on <<http://www.comunidadandina.org/Normativa.aspx?link=ID>>.

⁹⁷ The Colombian Constitutional Court was critic of the absence of a definition of what could be considered a “rupture of the democratic order” and rejected the possibility of external intervention posed on article 4, d. The whole sentence can be read at <http://www.secretariasenado.gov.co/senado/basedoc/c-644_2004.html#1>.

Alliance, composed by Chile, Colombia, Peru, and the external partner, Mexico; and the Bolivarian Alliance for the Peoples of Our America (ALBA), to which Venezuela is a full member, together with eight Central American and Caribbean countries⁹⁸, since Ecuador and Bolivia have withdrawn their memberships, in 2018 and 2019, respectively. None of the mentioned ROs nevertheless present a Democratic Clause, as examined by the research cut, or any established mandate on the issue, as their foundational ideas are not centered on this scope.

Finally, as we move to the case analysis, selecting a case on the Andean sub-region presented a challenge not because the sub-region does not have crises, as it can be seen on Appendix D, but because of the scope conditions. As we intend to perceive overlapping organization's behaviors, the cases did not present overlapping mandates *de jure* since the CAN democratic framework is not in force, ALBA does not have one and UNASUR did not have one in force until 2014, leaving only the OAS competent to act. Thus, we focused the analysis on the *de facto* overlapping occurred during the attempted breach of the constitutional order occurred in Ecuador in 2010.

4.2.1.2 Ecuador 2010: ALBA, CAN, UNASUR, OAS

On September 30, 2010, members of the police took to the streets to pressure the government of Rafael Correa to veto a law on public service that would affect the interests of the security forces. In addition to the streets, protesters took over the country's main airport and occupied the National Parliament. Correa tried to negotiate with the demonstrators, but after the explosion of a tear gas bomb near the president, he was taken to the Police Hospital in Quito, where he was kept under watch. Under the efforts of the army and special forces, Correa was rescued, claimed to be the victim of a coup and declared state of emergency to contain the situation in the country⁹⁹.

Nolte (2018) argues that although it is not clear whether the intentions of the dissident forces were to remove the Correa government, the president's statements accused an attempted coup d'état, and the region's organizations expressed themselves upon his claims, in

⁹⁸ ALBA-TCP Central American and Caribbean member states are Antigua and Barbuda, Cuba, Dominica, Grenada, Nicaragua, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines.

⁹⁹ More information on the events in Ecuador can be read on journalistic outlets such as the BBC on <https://www.bbc.com/portuguese/noticias/2010/09/100930_equador_correa_hospital_cj.shtml>; or Uol on <<https://noticias.uol.com.br/internacional/ultimas-noticias/2010/09/30/rafael-correa-e-resgatado-de-hospital-por-exercito.htm>>, both in Portuguese.

order to ensure the stability and constitutional order of the country. At the sub-regional level, for instance, ALBA, CAN and even MERCOSUR¹⁰⁰ issued Communiqués supporting Correa’s government and called for the respect of the constitutional order but their actions were limited to diplomatic declarations (ALBA, 2010; CAN, 2010).

UNASUR and the OAS also expressed their support for Correa and acted. The OAS convoked a special session on the same day and issued the CP/RES. 977 (1772/10) (OAS, 2010) on the Situation in the Republic of Ecuador, repudiating any attempt to the democratic institutional system in Ecuador, underscoring the IADC principles and offering the RO’s full cooperation through the Secretary General. As for UNASUR, Brazil acted as a regional leader and initially called for a coordinated action of MERCOSUR, UNASUR and the OAS (WEIFFEN, 2017; NOLTE, 2018), but UNASUR eventually became more prominent (NOLTE, 2018).

UNASUR’s stood out as its Presidents and Heads of State reunited the same day (WEIFFEN, 2017; NOLTE, 2018)¹⁰¹ and issued a declaration that besides condemning the events, affirmed that their respective governments would not tolerate under any circumstance any break of the constitutional order. The Declaration of Buenos Aires on the Situation of Ecuador went further and warned about the possibility of sanctions, stating that if any breach was perceived, the RO would “adopt concrete and immediate measures such as closures of borders, suspension of trade, air traffic and the provision of energy, services and other supplies” (UNASUR, 2010b, our translation).

Additionally, the Declaration informs that the member states deployed a delegation of Ministers to support the Ecuadorian presidency and that the heads of state had agreed to adopt a democratic clause for the organization the following Ordinary Summit, which took place in November 2010, and gave way to the Additional Protocol to the Constitutive Treaty of UNASUR on Commitment to Democracy.

Results:

The convergence of opinions between all involved regional organizations reinforced

¹⁰⁰ As an associate state, Ecuador has been a signatory to the Mercosur Ushuaia Protocol since 2007, and it has been in force since the deposit of the instruments in 2009. See also Estadão’s “Mercosul condena tentativa de golpe no Equador”, available at: <<https://internacional.estadao.com.br/noticias/geral,mercosul-condena-tentativa-de-golpe-no-equador,617919>>.

¹⁰¹ See also: “Unasul decide fazer reunião de emergência para discutir crise no Equador” Uol Notícias, 30/09/2010. Available at <<https://noticias.uol.com.br/internacional/ultimas-noticias/2010/09/30/unasul-decide-fazer-reuniao-de-emergencia-para-discutir-crise-no-equador.htm>>.

the position in favor of the Ecuadorian president and influenced the disarmament of the conflict. However, UNASUR's positioning stands out as it is very interesting since at the time it did not have a clear mandate on democracy protection to take a strong attitude and propose sanctioning unconstitutional acts. This understanding denotes that the organizations were at least in part, competing for the leadership on conflict resolution in South America, even if not conflicting.

An interesting factor to be considered in this scenario is the use of presidential diplomacy in UNASUR in the absence of a clear mandate on democracy protection. While the OAS acted through its Permanent Council, which repudiated the events in Ecuador, and through its Secretary General who arrived in the country the following day, UNASUR acted through its presidents, who on the same day met in Buenos Aires and announced measures to prevent further democratic ruptures (WEIFFEN, 2017, NOLTE, 2018), and through their chancellors, who travelled to Quito. The Ecuadorian case affirms that the form chosen to mediate also had influences on the result obtained by the organizations when competing in a crisis situation.

Regarding the sub-regional overlaps, ALBA, MERCOSUR and CAN's manifestations corroborate OAS and UNASUR's condemnation, but at the same time do not go further, tacitly leaving the task to UNASUR, and thus representing a cooperative, but passive behavior.

4.2.2 The Southern Cone

On the beginning of this chapter, we already mentioned that the foundational norm of the sub-regional organization that represents the Southern Cone, MERCOSUR, did not mention the word democracy upon the creation of the bloc. Focused on the establishment of a common market, the Asunción Treaty addressed trade and cooperation as a way to develop the member states, in accordance with the guiding principles of open regionalism that guided the bloc's proposition, as we have stated in chapter 2. However, both Weiffen's (2017) and Closa, Palestini and Ortiz' (2016) work affirm that at this period, marked by a transition after years of authoritarian regimes, regionalism was also seen as a way to consolidate democracy on the region, even if not directly mentioned on the norm.

Thus, the first clear stand on the matter came a year after the establishment of the RO, when in June 1992, the heads of state of Argentina, Brazil, Paraguay and Uruguay, reunited in Argentina, and emitted the Las Leñas Presidential Declaration, the first document to affirm

that “the full validity of democratic institutions is an indispensable condition for the existence and development of MERCOSUR” (MERCOSUR, 1992). Nonetheless, the democratic clause as it is known currently, was only adopted six years later, in 1998, as a result of a concrete crisis: an attempted coup d’état in Paraguay, in 1996.

The Presidential Declaration of San Luis (MERCOSUR, 1996), reinforced the Las Leñas propositions but was the first to condemn democratic breaches or attempted breaches and to consider the application of sanctions to be decided by the member states, ranging “from the suspension of the right to participate in the different bodies of the respective integration processes to the suspension of the rights and obligations resulting from these processes”. The Declaration was institutionalized in 1998, with the adoption of the Ushuaia Protocol, a legal document that became binding upon the ratification of all the member states in January 2002¹⁰².

The next relevant development on the democratic normative framework was the adoption, in December of 2011, of a Protocol that is supposed to render the Ushuaia Protocol from its obligations and has thus become known as Ushuaia Protocol II. Its normative text of presents many similarities with the UNASUR democratic clause, as it was created posteriorly, and it presents progresses on the first Ushuaia Protocol by establishing procedures and advancing on MERCOSUR’s mandate through the enlisting of sanctions available.

For instance, the Protocol starts by broadening its scope of action on a political crisis, to cover not only “the rupture or threat of rupture of the democratic order” but also “a violation of the constitutional order or any situation that jeopardizes the legitimate exercise of power and the validity of democratic values and principles” (MERCOSUR, 2011, art. 1). It also provides that the member states can dispose of commissions to assist and monitor the affected Party (art.5), before exploring the sanctions on art.6, which gives the bloc the opportunity to act as follows:

- a.- Suspend the right to participate in the different organs of MERCOSUR's institutional structure.
- b.- Close all or part of land borders. Suspend or limit trade, air and maritime traffic, communications and the supply of energy, services and supplies.
- c.- Suspend the affected Party from enjoying the rights and benefits arising from the Treaty of Asunción and its Protocols and Integration Agreements entered into between the Parties, as applicable.

¹⁰² On the Paraguayan Foreign Affairs Ministry’s website, it is possible to access the data on the ratification of MERCOSUR’s normative by its member states. For the Ushuaia Protocol, cf.:
[<https://www.mre.gov.py/tratados/public_web/DetallesTratado.aspx?id=ktUNNjkHcd6x6bSnkufaDA=&em=lc4aLYHVB0dF+kNrtEvsMZ96BovjLlz0mcrZruYPcn8=>](https://www.mre.gov.py/tratados/public_web/DetallesTratado.aspx?id=ktUNNjkHcd6x6bSnkufaDA=&em=lc4aLYHVB0dF+kNrtEvsMZ96BovjLlz0mcrZruYPcn8=>).

- d.- Promote the suspension of the affected Party within the scope of other regional and international organizations. Promote with third countries or groups of countries the suspension of the affected Party from rights and / or benefits derived from the cooperation agreements to which it is a party.
- e.- Support regional and international efforts, particularly within the United Nations, aimed at resolving and finding a peaceful and democratic solution to the situation in the affected Party.
- f.- Adopt additional political and diplomatic sanctions.

All the measures should be combined with diplomatic efforts by the member states' presidents, to promote the restoration of the constitutional order. Furthermore, the Ushuaia II Protocol highlights that all measures should keep proportionality and not put at risk the well-being of the nationals of the affected country, while respecting its sovereignty and territorial integrity. Sanctions shall cease once the causes that have motivated their adoption have been fully repaired (art.9).

However, the Protocol has not yet entered into force. Article 11 establishes that it should be ratified and have its instruments deposited by all MERCOSUR member states, and as of December 2019, only Venezuela has done it¹⁰³. More interestingly, the normative faces a regional impasse, since the government of Paraguay has vehemently rejected the normative framework. The signature of the Protocol was even used as a justification for former president Lugo's impeachment in 2012, as we describe below, and afterwards it was rejected by the national government¹⁰⁴. Thus, even though it was not into force during the cases below, nor presents significant chances of being finally formalized due to Paraguay's rejection, we have added it to the analysis of the normative framework, as it allows for the understanding of regional comprehension on the issue of undemocratic ruptures.

4.2.2.1 Paraguay 2012: MERCOSUR, UNASUR, CELAC, OAS

The Paraguayan case is very interesting due to prominent action of MERCOSUR, and for being the first time a sub-regional democratic clause was invoked and produced sanctions. Another remarkable characteristic on this case is the role played by regional agreements on domestic politics, as we discuss below.

Fernando Lugo was elected the president of Paraguay in 2008. During his time in

¹⁰³ Data on the Ushuaia II protocol can also be accessed on the Paraguayan Foreign Ministry website on:
https://www.mre.gov.py/tratados/public_web/DetallesTratado.aspx?id=dxmiRrluWRS5wpK1lax3qw%3d%3d&em=lc4aLYHVB0dF+kNrtEvsMZ96BovjLlz0mcrZruYPcn8%3d.

¹⁰⁴ Cf. Paraguay. Resolución No 979 del 25 de octubre de 2012.

office, his acts faced strong oppositions from national elites and the political instability was enhanced by domestic conflicts that were soon to be included on the impeachment request led by the Paraguayan Congress. The accusative libel presented five main reasons that had motivated the impeachment process (PARAGUAY, 2012):

- 1- the approval of the use of military facilities for holding events of a left-wing political nature, with public funding;
- 2- the instigation and facilitation of land invasions in Ñacunday, with military support;
- 3- the president's inability to deal with growing insecurity, and to capture members of the self-styled militia of the Paraguayan People's Army;
- 4- the signature of the Protocol of Ushuaia II, which on the Parliament's words would constitute "an attack against the sovereignty of the Republic of Paraguay" and had been signed with the sole purpose of protecting the presidents of the region by identifying the country with the presidential figure;
- 5- the president's neglect of the Curuguaty confrontation, which left 17 dead on June 15, 2012 in a land dispute conflict.

After the Parliament instituted the political judgement on the basis of poor performance from the president on June 21st, 2012, the impeachment process was carried out in an express way, and Lugo was deposed in approximately 24 hours. The South American neighbors immediately repudiated the speed of the process and summoned ambassadors for consultations. In addition to the swiftness of the decision, the concern for democracy in the country was visible, since Lugo was the first leftist president of Paraguay after 61 years of rule of the Colorado Party. Thus, although the process followed the instructions contained in the Constitution, due to the lack of support in the legislative power, Lugo denounced impeachment as a "parliamentary coup d'état" (WEIFFEN, 2017).

The political crisis had already been accompanied closely by UNASUR (and consequently MERCOSUR) Chancellors which on the outbreak of the impeachment process sent a delegation to Asunción and issued a declaration of support to Lugo (UNASUR, 2012). Once the impeachment was concretized, MERCOSUR decided to exclude Paraguay from its next ordinary summit, held in Argentina the following week (MERCOSUL..., 2012). Thus, on the Friday following the impeachment, June 29, in a joint meeting, UNASUR and MERCOSUR decided to suspend Paraguay from its activities in the organizations due to the violation of the democratic clause that governs them, until the order was restored, in the 2013 elections.

As for the OAS' reaction, it was more hesitant. The RO sent a fact-finding mission to

Paraguay from 1-3 July, composed of the Secretary General and a delegation of authorities (OAS, 2012). Thus, the OAS took almost two weeks to decide on the situation and opted not to sanction the country, understanding that as swift as the impeachment process unfortunately was, it had respected Paraguay's constitutional procedures, as the new government claimant. Nonetheless, the RO also decided to send an observation mission to monitor the conduct of the 2013 elections, in order to foster political dialogue and to inform the OAS member states on the situation in the country (NOLTE, 2018).

No formal action was perceived from CELAC, as Paraguay was not officially sanctioned or suspended, but at the organization's Summit in 2013, the country was absent, with comments from president Federico Franco affirming that it had "not been invited" (PARAGUAY...2013).

Results:

In the Paraguayan case the overlap of competencies of four regional organizations resulted in a positioning division among them that stands out. When we consider that MERCOSUR and UNASUL adopted the same kind of sanctioning through suspension and held a joint meeting to resolve the impasse, it can be affirmed that overlapping presented no conflict, since redundancy in this case generated the reinforcement of the regional positioning. In addition, joint meetings have the bonus of saving bureaucratic efforts and minimizing competition between them.

As a result from the suspension, since Paraguay was the only member state that had not yet voted the Venezuelan accession to the MERCOSUR, the bloc's member states decided upon ratifying Venezuela's adhesion, a fact that, together with the claims against the signature of the Ushuaia II Protocol were a source of great criticism from Paraguay to the Southern Cone bloc.

Nevertheless, an interesting fact on this case is that, even though UNASUR had already signed its Additional Protocol to the Constitutive Treaty of UNASUR on Commitment to Democracy, it was not yet in force, and thus formally, the organization had no mandate to execute sanctions. Even if it was in force at the time, Paraguay never ratified the democratic clause, and thus it would not be in force in the country, a fact that raised critics from the country upon the RO's suspension (PARAGUAI..., 2012)

With regard to the overlapping between MERCOSUR-UNASUR and the OAS, the result was a divergence of interpretation. The continental organization's failure to understand Lugo's impeachment as a democratic rupture generated norm ambiguity on democracy protection in the region and on the procedures to be adopted in the region, on the subject. At

the same time, it intensified the competition between organizations and enabled forum shopping, as the Paraguayan government argued against its suspension on MERCOSUR and UNASUR with the OAS's legitimacy recognition. However, as Nolte points out (2018), the OAS had no mandate to order UNASUR (or MERCOSUR) to revoke the suspension of the Paraguayan government.

CELAC's position caused an ambiguity. As the RO does not have a hard law mandate on democratic clauses, it did not formally suspend Paraguay, which would support the OAS's decision, if it weren't for its ad hoc actions of not inviting the country to its subsequent meetings. MERCOSUR and UNASUR's sanctions against Paraguay lasted until the realization of new elections in 2013, but the country refused to immediately reintegrate MERCOSUR, in protest against the Venezuelan admission. Paraguay also refused to sign the Ushuaia II Protocol upon its return to the organization (PARAGUAI..., 2013), as it had already been rejected by the Congress (PARLASUR, 2012).

4.2.2.2 Venezuela 2013-onwards: ALBA, MERCOSUR, UNASUR, OAS

The Venezuelan crisis is the longest one in South America to be analyzed, as of December 2019 the political crisis is still ongoing. In fact, regarding organizational behavior, results indicate that the conflict could be divided into phases for interpretation, since not only the responses of regional organizations vary over time but also their level of involvement, and the different roles played by them over time.

The first element of divergence in this conflict comes after the 2013 presidential poll, which elected Nicolas Maduro in April to take the place that Hugo Chavez had left vacant at his death. The result from the ballots presented a very small margin of votes, of only 1,5% which were challenged by the opposition (NOLTE, 2018, p.140). Acts of violence were committed both by opposition supporters, and by government supporters during protestations following the outcome of the elections. Even so, UNASUR, which had sent an accompanying electoral mission, acknowledged the outcome of the voting process. At the occasion, the OAS was not invited to send a mission of its own to observe the process, despite its many years of experience (WEIFFEN, 2017, p.191).

The situation did not improve in Venezuela in the course of 2013 and 2014, and in the face of escalating conflicts in the country, both UNASUR and OAS expressed their concerns. The Pan American organization convened a meeting of its Permanent Council in March 2014, in which it issued a document condemning the violence in the country and calling for a

dialogue between government and opposition¹⁰⁵. Such a resolution was not signed by Panama, Canada and the United States, as the countries denounced the violation of civil liberties in the country (WEIFFEN, 2017, p.190-191).

As for UNASUR, the organization issued a resolution of support of the dialogue process just a few days after the OAS and, at the request of the Venezuelan government, agreed to create a commission to accompany it (NOLTE, 2018, p.141). Thus, the Venezuelan government rejected the OAS's interference, under accusations of meddling, but accepted the participation of UNASUR in the dialogue process with the opposition. Rounds of negotiation followed, under the auspices of UNASUR and diplomatic efforts, but eventually the opposition decided to not participate anymore and raised uncertainties regarding the impartiality of the South American organization, and the mission failed (NOLTE, 2018, p.142).

Political instability continued to grow in Venezuela over the course of 2015, especially in the advent of parliamentary elections in the country. Once again, only UNASUR was allowed to participate as an observer of the process, which renewed concerns for democratic stability in the country, as the opposition was worried that the growing authoritarianism of the Maduro government could manipulate the results (NOLTE, 2018).

Even though not invited to accompany the electoral process, the Secretary General of the OAS, Luis Almagro, issued an open letter to the head of the Venezuelan National Electoral Council (OAS, 2015) expressing concerns with the fairness of the upcoming polls¹⁰⁶, “in which he accused Maduro’s governing party of taking unfair electoral advantages in its use of public resources in the campaign, access to the press, and the disqualification and incarceration of key opposition figures”, as underscored by Weiffen (2017, p. 191). With the diplomatic pressure exerted by the OAS and the observer mission of UNASUR, the elections were held and deemed free and fair, with the opposition winning the majority of the parliament for the first time in sixteen years (NOLTE, 2018).

Over the following few months, however, the executive's attitudes sought to neutralize the elected legislature, using the “Supreme Court, the national electoral body and military forces in their favor, nullifying the deliberations of parliamentarians and suppressing popular manifestations of opposition” (CERCA ..., 2017, our translation).

¹⁰⁵ Cf.: OAS CP/DEC. 51 (1957/14) “Solidarity and Support for Democratic Institutions, Dialogue, and Peace in the Bolivarian Republic of Venezuela”, adopted at the meeting held on March 7, 2014.

¹⁰⁶ See also El País’ journalistic coverage on
 <https://brasil.elpais.com/brasil/2015/11/12/internacional/1447290067_713993.html>.

Since then, the OAS' and Almagro's attempts to enforce the democratic order heightened tensions between the organization and the government of Maduro. For instance, according to Weiffen (2017, p.191), in May 2016, after an exchange of mutual insults between Maduro and Almagro through social networks, the Secretary-General invoked the Inter-American Democratic Charter and convened a special meeting of the Permanent Council to evaluate the sanctions to be applied to Venezuela because of its violations of democracy and human rights. It is interesting to note that, Weiffen (2017, p.191) further explains that at the time, Venezuela was able to use the competing powers of the existing regional mechanisms and to instrumentalize UNASUR through its allies (the ALBA member states), to reject the application of the clause, arguing that the ongoing dialogue process in the country could be undermined by the condemnation of the Inter-American organization.

However, by the end of 2016, Venezuela's support from UNASUR had deteriorated, as MERCOSUR key member states, such as Argentina and Brazil no longer had "like-minded governments" (NOLTE; WEIFFEN, 2018, p.17). Tensions also grew after continued rounds of mediation were not producing the expected results and the central government managed to suspend the realization of a recall referendum, a constitutional procedure that would allow the population to evaluate the permanence of the Maduro government. Thus, on December 2, 2016, MERCOSUR decided to temporarily suspend the Venezuelan participation on the bloc, on the account of not having internalized core normative frameworks on human rights and trade (MERCOSUR..., 2016).

The warming of tensions and the accusation of "imperialism" from the continental organization culminated in 2017 with the Venezuelan request to leave the OAS¹⁰⁷, an unprecedented situation that could have been motivated in order to avoid a suspension of the bloc as well. As the Venezuelan political situation continued to deteriorate, it reached new heights with the government instituting a National Constituent Assembly in May 2017, which caused controversy by delegitimizing elected candidates on the Parliament since "there would be no concrete reasons to change the Constitution" (JORGE, 2017). The elections were held on heavy counts of fraud and manipulation of results, even by the company responsible for counting the votes (SMARTMATIC..., 2017). The full suspension from MERCOSUR was concretized in August 2017, on the basis provided by the Ushuaia Protocol, until the constitutional order is restored in the country (MERCOSUR, 2017).

The year of 2017 also marked the deterioration of consensus in UNASUR caused by

¹⁰⁷ Cf. BBC's coverage on the issue, available at: <<https://www.bbc.com/news/world-latin-america-39726605>>

ideological divisions among its members, which resulted in an incapacity to appoint a new Secretary General¹⁰⁸ and to continue the RO's action. It also impacted on the RO's response to the Venezuelan crisis: unlike on the Paraguayan case of 2012, where MERCOSUR and UNASUR acted the same way and suspended the affected country, Maduro's government counted on the support of allies such as its partners in ALBA, which made it difficult to obtain unanimity on UNASUR for the approval of the suspension.

In fact, the difficulty of consensus added up to the mentioned incapability of indicating a new Secretary General, which deepened the organization's moments of crises and culminated in 2018 with the request for the self-suspension of half of its members (Argentina, Brazil, Colombia, Chile, Paraguay and Peru) who criticized the RO's paralysis¹⁰⁹.

Differently from an earlier stage, in 2016, where the Venezuelan government could benefit from the overlapping organizations to choose a forum where it could have support, in 2017 the erosion on consensus among Latin American countries prevented it from happening. The Maduro administration even tried to mobilize and convince CELAC's member states to support UNASUR's mediation, by calling an extraordinary meeting, but the governments of the ideologically divergent countries Argentina, Brazil, Chile, Colombia, Costa Rica, Mexico, Paraguay and Peru did not even attend the event (NOLTE; WEIFFEN, 2018, p.19). In fact, these same countries ended up creating a sub-group of their own on July 2017, called the Lima Group, which remained seized of the developments of the Venezuelan crisis.

Due to Venezuela's prominent role on ALBA, the RO was the only forum that still supported the country and criticized the OAS' action by 2018. However, the Venezuelan crises has been proven to be so unsustainable that Ecuador and South American countries that used to participate At the same year, following the electoral process that reelected Maduro as president, the OAS reacted (with emphatic words from its Secretary General¹¹⁰) and also initiated the procedures for the suspension of Venezuela from the bloc. UNASUR which was left emptied by its member states self-suspension, did not act and MERCOSUR maintained its suspension sanction against the country.

Results:

The Venezuelan conflict is long and still in progress but presents different

¹⁰⁸ With the support of Bolivia, Suriname and Ecuador, Venezuela vetoed the indication of Argentina's candidate for the post of Secretary General, and no consensus could be reached.

¹⁰⁹ See also Reuters' coverage on <<https://www.reuters.com/article/us-unasur-membership/six-south-american-nations-suspend-membership-of-anti-u-s-bloc-idUSKBN1HR2P6>>

¹¹⁰ The whole pronouncement of Luís Almagro after the elections can be watched in a video named "Message from OAS Secretary General on Elections in Venezuela", published by the OAS TV on <<https://vimeo.com/271174545>>.

interpretations for the study of scenarios of organizational overlap. It is clear that the OAS and UNASUR competed for a leadership role on the mediation process on the region at the beginning of the conundrum, even if some of the competing organizational behaviors are caused by Venezuela's instrumentalization of the overlappings and forum shopping. While competing, regional behaviors to a certain extent, act generating blockades by taking different positions, and therefore delegitimizing the other RO.

At the beginning of the conflict, the redundancy of organizations made possible the forum shopping on the part of the Venezuelan government, which accepted only the monitoring and mediation of UNASUR. As Weiffen (2017, p.191-192) points out, Venezuela "clearly adopted a strategy of regime shifting, turning to UNASUR and putting into question the legitimacy of the OAS, accusing it to be an instrument of US imperialism".

It is these tools that have made it possible for Venezuela to instrumentalize UNASUR, that is, to use it and the support of its allies within the OAS to remove the Pan-American organization from its domestic interventions. In this sense, competition between ROs for leadership made it possible for the member state to de-legitimize one of the interventions, while making it difficult to interpret competing concepts of democratic rupture, and thus creating a blockade. However, this delegitimization is a fruit not only of the ROs behavior, but of Venezuela's, as the country kept putting the OAS off.

Even so, as consensus among member states of the ROs started to erode, the overlapping scenario began to produce different and less conflicting effects, thus creating a new phase for the analysis, where the ROs produce more aligned and cooperative behaviors, that in turn are limited by their capability of action. With the escalation of the crisis in Venezuela and the country's disagreements with the OAS, the Bolivarian country was sanctioned by MERCOSUR, and the OAS and UNASUR only did not follow the same path because they could not reach regional consensus, even if the pronouncements of the Secretary General of the continental organization, and the abandon of UNASUR by half of its members made a clear statement. The only RO that continued to have a fragmented behavior was ALBA as its support to Venezuela clashes with the others' positionings.

Finally, Venezuela also fragmented regional cohesion by demanding to be excluded of the OAS in an attempt to also remove its interference and sanctions. But the blockade generated by the country's behavior did not translate on a fragmented behavior from the other RO's, as the request to leave the Pan-American bloc does not go to the detriment of this organization in favor of others that could intervene, since UNASUR is paralyzed and MERCOSUR has suspended Venezuela. Thus, the overlapping of ROs is no longer conflicting

due to the non-interaction between them and, should the suspension by the OAS take place, it will serve as a reinforcement of MERCOSUR's position.

4.3 Partial Analysis

As the African case has done it before, the study of the South American normative framework on democracy protection allows for the combined reflection on the development of regionalism and its influences on democracy protection and promotion. While almost all countries of the sub-region underwent autocratic regimes before the 1990s, the establishment of provisions on the issue is then developed with the idea that political stability would be the basis for economic development, the goal that motivated regional processes at this time.

However, it took the occurrence of political crises such as the Paraguayan attempted coup of 1996 to propel the organizations to adopt a stronger stand against democratic breaches. Moreover, the consolidation of the normative framework is only achieved from the 2000s, with the change on the set of inspirations of the regional processes, in a post hegemonic moment. Even so, it is notable how the concrete cases have played an important role on norm development, since not only it was the 1996 Paraguayan coup attempt that originated MERCOSUR's democratic clause, but also the 2010 Ecuadorian crisis here presented, motivated UNASUR member states to adopt a commitment of its own.

Regarding the content of the provisions, while all the ROs that have a clear mandate on the issue of democratic breaches have managed to adopt a set of sanctions and measures to follow an event, one interesting issue concerning the American provisions is the different level of detail that has guided the norm setting. As Weiffen (2017, p.192) affirms, for instance, "whereas the IADC contains a clear-cut definition of representative democracy, the UNASUR democracy clause is characterized by an ambiguity of substantive definitions".

Even though representative democracy is well defined by the IADC, and the South American countries all have relatively similar levels of democracy, some missing features make the norm passible of interpretation. For instance, as perceived on the African case, there are no clear definitions of what the return to the constitutional order would be. And while the applicable sanctions are well listed on most democratic clauses, unlike the African provisions on UCGs, the ROs do not present a comprehensive list of events that should be interpreted as breaches. Thus, norm ambiguity and subjectivity in turn could lead to inconsistent behaviors among the ROs, as the Paraguayan 2012 case demonstrated.

The case selection only presented cases occurred on the 2000s, even if political crises had happened during the 1990s, as a result of the lack of mandates and direct action from ROs on this earlier period. In fact, on chapter 1 we stated that Nolte and Weiffen (2018) affirmed the existence of a different logic of outcomes of overlapping organizations between the ones 1990s and on the 2000s: while the first ones would correspond to a more coordinative logic, from the years 2000 the responses would range in a more competitive scale.

However, while the outcomes are not entirely untrue, the empirical research has demonstrated that in the 1990s, the democratic clauses were not yet in force, and most of the actions on mediation were not organizational, but actually a fruit of diplomatic efforts, as we mentioned on the Paraguayan 1996 and 2000 coup attempt. Thus, the overlapping actions were not a matter of competition between MERCOSUR and the OAS, for example, fighting for legitimacy on the region, but mostly relied on individual mediator countries' protagonism.

While researching for this work, many links and affirmations were found on the literature between regionalism and democracy in the Americas. Nevertheless, a close look on the normative framework available provided a thought-provoking insight: not all documents that have been proposed are currently in force or were at the time of the interventions, as the member states have/had not ratified, deposited and therefore internalized these protocols.

Thus, also very interesting is how the actors, be it the ROs or member states, have managed to adapt in the absence of a clear mandate and respond to crises. It demonstrates that the low institutionality that preceded the adoption of the democratic clauses, led to the instauration of ad hoc solutions that in some cases were even later formalized on regional agreements. Also, due to the intergovernmental character of all of the organizations on the continent, and the absence of a hierarchy or subsidiarity principle, it can be perceived a logic of reproduction of political behaviors and setbacks among member states and regional organizations. To illustrate, Colombia and Paraguay are the countries that have posed challenges to their sub-regional blocs' normative provisions and have not ratified the Cartagena Agreement Additional Protocol and the Ushuaia II Protocol, respectively; together with Brazil¹¹¹, they are also the ones who have not yet ratified the South American democratic clause, which has similar demands and sanctions.

If the 1990s interplay between overlapping regional organizations over political crises was mostly cooperative in the absence of a normative framework, the situation changes in the

¹¹¹ Brazil's non-ratification was, at first, directly related with the large amount of time international acts take to be internalized on the domestic legal order. Currently, there are no perspectives of ratification by any of the countries since they all have suspended their participation on the bloc.

2000s when the dissociation of a united South America from the rest of the continent becomes clearer after the establishment of UNASUR. At this moment, foundational elements such as the OAS' pan-Americanism links with United States and the UNASUR's aspiring political capabilities for the development of the countries of the region with no external interference, take an important role on determining the RO's actions.

Thus, when UNASUR presented itself as the legitimate body to bring "South American solutions to South American problems", there was a visible organizational competition over leadership on conflict mediation, as the growth of the South American RO had a legitimizing potential of its performance, which, in turn, would exclude external influences. These external interferences were extremely criticized by the leftists' governments that were in place at the region during the moment of consolidation of UNASUR, which affirmed the association of the OAS with the presence of the United States in the region, and thus, have managed to shape the ROs' competitive behavior accordingly.

Considering the existent normative frameworks and the sub-regions of South America, research demonstrated that only the ALBA and the Pacific Alliance do not have democratic clauses on their scope, out of the involved ROs. CELAC has a declaration on the issue, but it has no validity on international law. The OAS has the more detailed provisions on democracy, but MERCOSUR, CAN and UNASUR also managed to sign their own documents, even if not all of them have entered into force.

Regarding the presented cases, all of the selected political crises had as a background, the overlap between the OAS and UNASUR, whether due to the competition for the leading role in the region or the clash in the ideas proposed. MERCOSUR, with being responsible for the democratic preservation among members, also acted when competent, and had prominent roles on the Paraguayan 2012 and the Venezuelan 2017 suspension.

However, the lack of CAN positions was notable, since in the survey carried out only declarations of repudiation of crises and support for mediations were found, without active action. The causalities of the lack of institutional protagonism, could be explained by the delegation of powers to UNASUR, which was in a better position to act, but also, the institutional weakening that the CAN has been facing over the last decade cannot be disregarded, nor the absence of a formal mandate since the research also found the Democratic Clause to not be in force currently.

Finally, the Venezuelan case has also demonstrated how the absence of supranational decisions, norm hierarchy and/or a stronger institutionalization can provoke the erosion of regional cohesion when a consensus cannot be reached among member states. While for the

configurations of overlapping regionalisms it signified, at first, the possibility of cross-institutional strategies and forum shopping, the plurality of regional organizations also meant the possibility of emptying and abandoning these ROs when no agreement could be reached, as the UNASUR dismantling demonstrated.

With the conclusion of the empiric analysis of South America, we move on to the next and final chapter, where we further develop the perceived types of organizational behavior and dyadic relationships from the African and South American ROs, and discuss their significances for the understanding of overlapping regionalisms and the regional capabilities to address political crises and democratic violations.

5 ANALYSIS AND CONCLUSION: COMPARATIVE REGIONALISM, POLITICAL CRISES, *DE FACTO* OVERLAPPIINGS AND REGIONAL COHESION

On chapter 1 we introduced Comparative Regionalism as the methodological background for this thesis. Börzel and Risse (2016) synthesize the objectives of the field by stating that “while building on profound contextual and historical knowledge, comparative regionalism employs comparative methods to arrive at generalizations about the emergence, institutional design, and effects of regionalism” (BÖRZEL; RISSE, 2016). Parthenay (2019, p.8-9) further explains that the involved concerns are “not only a matter of ontology (what is the piece of reality to understand), nor a matter of epistemology (how to understand it)”, and affirms that the purpose and objectives of comparative regionalism should therefore not be encapsulated on a theoretical dimension, since its interests are also “empirically grounded and oriented”.

Considering the authors’ conceptualization, the research here presented met the established requirements by presenting an empirically oriented cross-regional approach to the responses or behaviors of overlapping organizations and by aiming to produce generalizations for the understanding of regional dynamics. Moreover, the analysis relied on the study of each region separately, in order to base observations on their own history and context, and combined the cross-regional study with two regions that are not as often associated, since most works tend to have the European continent as an element of comparison.

The contributions of this approach were already notable on the second chapter, as the study of the regional institution building in each continent affirmed that while Europe has served as a basis and a model for other processes around the world, the institutionalization of responses from South America and Africa followed different drivers and produced different outcomes. One interesting illustration is the idea of *waves of regionalism*, which is broadly used on Latin American regional studies, as we previously mentioned, and presents a very interesting opportunity to reflect on the literal figure of a wave, which is endowed with crests and valleys. These literal representations are translated into moments of upsurge and remission, respectively, which can be verified on regional projects, for instance if we take into consideration that after a boom of regional engagement on the 2000s, the last half of the 2010s have represent a moment of crises for regionalism in South America.

Thus, the concept of waves as moments where regional processes are inspired to develop is undeniable, since phases such as the democratization period at the end of the Cold War have produced institutional effects in both regions. Nonetheless, a closer look on Appen-

dix A demonstrates how the framing of all of the regions under a single path (or, in this case, wave) neglects the individual contributions for regional studies. For instance, while most South American countries were experiencing dictatorships and protectionism in the 1970s, and did not create new ROs, the African countries struggling with the ties caused by colonialism on a liberation affirmation moment, institutionalized their former colonial interdependence into sub-regional organizations. At the same time, as we have previously affirmed, the creation of ROs halted on the early 2000s in Africa, as a result of a process of centripetal consolidation, in which a continental organization, the African Union, intends to bring together the sub-regions; whereas in South America this moment is characterized by a new valorization of regionalism with different aspects and sizes (post-hegemonic), which created new overlaps and favored sub-regional processes.

These formative characteristics also play a central role on the conditioning of the regional behaviors that we aimed to investigate. As proposed by the institutionalist theory, the idea of path dependence serves to explain even why some organizations do not develop mandates over an issue area, while others are bounded by it, by considering contextual characteristics of the foundational moments and organizational trajectories, aspirations and limitations.

Furthermore, path dependence also helps on the understanding of limitations that condition a certain kind of action or behavior, for example by perceiving that the ROs on the selected regions have their capacity of agency constrained by the common characteristics of having an intergovernmental decision-making system. Even the choice for an intergovernmental regional arrangement can be explained by the historical context of those regions and the moments of institution building, that favored national autonomy and non-intervention.

Nevertheless, the contribution of the cross-regional analysis goes beyond the limitations of the formative moments by enabling relevant comparative questionings, such as “if both regions’ organizations are bounded by intergovernmentalism, what makes Africa’s institutionality capable of more directly intervening on a member state domestic matter?”. Ramanzini Júnior and Luciano’s (2018, p.15) research illustrates the gains of these inquiries on a comparative analysis of the security and defense dimension of the AU and UNASUR. The authors established that even if both ROs are marked by a significant degree of intergovernmentalism, the African RO “possesses a higher degree of bureaucratization than UNASUR, insofar as the African Commission plays a key role in setting the agenda and gathering information”, which consequently “provides the bureaucrats with a significant degree of autonomy in the face of national governments” (RAMANZINI; LUCIANO; 2018, p.15).

These conclusions assist on the reflections over how come in South America the ROs' decisions have to be taken under a unanimous consensus, while the AU Peace and Security Council is able to adopt decisions, such as those regarding the application of the normative framework on unconstitutional changes of government by a simple majority, even on an intergovernmental setting. Thus, the priorities involved on the institutionalization of regional arrangements exemplified by the authors combined, with the higher bureaucratization degree, similarly represent factors of influence on a RO behavior, since they will condition its capacity to act.

Another contribution of the Comparative Regionalism approach, according to Parthenay, is the possibility of understanding the dynamics posed by diffusion, as "regionalisms are mostly inter-related" (PARTHENAY, 2019, p.9). The author's affirmation is even more relevant when considered that currently, ROs have a multi-purpose characteristic (BÖRZEL, 2016), instead of a single mandate, and they tend to assume new tasks in a much more fluid international scenario, as demonstrated on the previous chapters.

A very interesting example of regional diffusion between the studied regions appeared on the data compilation stage of this research. While gathering regional provisions on democracy protection, some commonalities were perceived among how Africa and the Americas addressed the theme. During the field research conducted at the AU Headquarters in Addis Ababa, in April 2019, the commonalities among the OAS' and the AU's Charters were confirmed on an informal interview with an AU Official, that stressed that the 2001 IADC had provided inspirations for the 2007 African Charter. In fact, table 8 on the next page demonstrates how similar the normative frameworks are, even in wording, although the African document, which is posterior, goes further on its requirements for democratic implementation.

As it happens, even among the South American ROs the provisions demonstrate the occurrence of norm diffusion, since the contemporary UNASUR's Georgetown Protocol and MERCOSUR'S Ushuaia II Protocol also have similar wordings, especially if considered the sanctions to be applied on the event of a democratic rupture.

Irrefutably, one of the greatest contributions of comparative regionalism is that it does not reject experiences but enables their integration for knowledge building. Having considered these aspects, we move on to the next section in order to compile and compare the findings of the empirical studies on how the regional organizations in Africa and South America have managed to deal with the challenges posed by political crises' management, on a multi-layered overlapping scenario, in accordance with the presented methodological background. The outcomes of the shared competencies' administration provide for the enhancing of com-

prehension on essential elements that compose the complexities of the studied regional scenarios before concentrating on the analysis of overlapping RO's behaviors and the significations of those overlappings on the subsequent sections.

Table 8 – Commonalities among provisions on representative democracy at the OAS and the AU

Inter-American Democratic Charter	African Charter on Democracy, Elections and Governance
Chapter 1- Democracy and the Inter-American System	Chapter 3- Principles
Arts. 3-6: Essential elements of representative democracy	Art. 3: Principles
Respect for human rights and fundamental freedoms;	Respect for human rights and democratic principles;
Access to and the exercise of power in accordance with the rule of law;	Access to and exercise of state power in accordance with the constitution of the State Party and the principle of the rule of law;
Holding of periodic, free, and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people, the pluralistic system of political parties and organizations,	Holding of regular, transparent, free and fair elections; Promotion of a system of government that is representative;
Separation of powers and independence of the branches of government.	Separation of powers;
It is the right and responsibility of all citizens to participate in decisions relating to their own development. This is also a necessary condition for the full and effective exercise of democracy. Promoting and fostering diverse forms of participation strengthens democracy.	Effective participation of citizens in democratic and development processes and in governance of public affairs;
Transparency in government activities, probity, responsible public administration on the part of governments;	Transparency and fairness in the management of public affairs;
The strengthening of political parties and other political organizations is a priority for democracy.	Strengthening political pluralism and recognizing the role, rights and responsibilities of legally constituted political parties, including opposition political parties, which should be given a status under national law.
n/a	Promotion of gender equality in public and private institutions;
n/a	Condemnation and rejection of acts of corruption, related offenses and impunity;
n/a	Condemnation and total rejection of unconstitutional changes of government;

Source: author's compilation

5.1 Regionalism and political crises: challenges to shared democracy protection

As the studies have demonstrated, Africa and South America are two regions of the

world that have historically struggled to promote development and potentialize the gains from their international insertion by decreasing dependence. Ever since the end of the Cold War when regionalism gained relevance as a tool for domestic development on a globalized world, the notion that democracy would play a relevant role to achieve this goal by fostering regional stability shaped the adoption of measures to create regional mechanisms for democracy protection (MDPs).

Each region has developed their own framework individually, and as a result, Africa gained relevance on its stand against unconstitutional changes of government, and in the Americas, democracy became a clause for participation on regional forums and a value to be protected and promoted. As we demonstrated on the previous section while exposing about diffusion on regional studies, the adopted normative provisions have many similarities, which indicates a common challenge, but, at the same time, we acknowledge that there is a distinction between the frameworks on UCGs and the democratic clauses, regarding the capabilities and institutionality available. That being said, it is, however, their dissimilarities that makes the comparative study relevant for the comprehension of each regional outcome, as we see these differences as a fundamental part of how the regions approach political questions, such as crises and breaches, especially on overlapping scenarios.

A first aspect we would like to underscore is the fact that African regionalism is not “democratic by nature”, since the first regional blocs created after independence were a reflection of the new political leaders that took power upon liberation, many through coups, or with military support, as seen on Appendix B. ROs such as the Organization of African Unity at this time had the main interest of strengthening a common stand against colonization and external influence and dependence. Not all countries were (or even are at the moment) stable, politically and economically.

Thus, it is very interesting that, as provisions on democracy promotion, protection and consolidation were posterior to a process of democratization that had different particularities and velocities among African countries and sub-regions, the ROs had to adapt what could be accepted and what not over time. Even the wording on the normative framework is an evidence of it: it is *unconstitutional* changes of government, not *undemocratic*. Not all states are democracies, and the provisions had to have a certain amount of tolerance in favor of integration, even if new transgressions are not supposed to be accepted from the moment on.

Therefore, it is undeniable that the African Union managed to do more than just “drop a letter” from the OAU, transforming the united voice of Africa from the first organization and providing an institutional evolution to which the mandate on UCGs is clearly a

consequence. It also marked a transition on continental perceptions of what types of government are going to be expected. In fact, Fioramonti and Mattheis affirm that “the transition to the AU has implied some new thinking regarding the concepts of national sovereignty and non-interference, especially insofar as crimes against humanity and unconstitutional changes of power are concerned” (FIORAMONTI; MATTHEIS, 2016, p.682).

The adaption on these concepts of “national sovereignty” and “non-interference” is in line with Closa and Palestini’s work (2016, p. 146, our translation) that affirms that the adoption of MDPs authorizes the states’ “behavior to be legitimately scrutinized, interpreted and even sanctioned by third parties and, thus, agrees to limit the principle of non-intervention and interference in internal matters”. Besides, on the African case, the strict relationship between democracy and peace and security, one of the continent’s main challenges, played an essential role on the adaption and the institutionalization of a MDP, as for Ramanzini Júnior and Luciano (2018, p.13), the objective of granting efficiency to peace operations mandates makes states compensate for their limitations by granting a higher level of autonomy to the Commission on decision-making.

The same scenario is not seen on South America, where some of the main organizations are created after or even as a consequence of the period of democratization. It is notable, therefore, that the adopted MDPs also reinforce this moment: the option for democratic clauses conditions memberships in the South American case, not only by presenting democracy as an entry requirement to the organizations, but as a prerequisite to the continuity of the relationship among its countries.

Even if in Africa democratization has also affected regionalism, another central difference between the two regions is the uniformity of democratization, regarding the contemporaneity and types of government adopted. For instance, South American military dictatorships fell practically all at the same time in the 1980s-90s, giving birth to similar republican structures among its countries, while in Africa, not only the periods of democratization are quite different country by country, but more than that, the adopted political systems present great variations in terms of power distribution, with some long running heads of state and the presence of almost absolute monarchies.

Furthermore, stability in both regions has assumed different meanings since South American countries have not witnessed civil wars or significant armed conflicts over the past century, and thus the idea of democracy is not directly associated to peace and security, and the MDPs adopted are coherent with this context. There are no available mechanisms for a

physical intervention, as this need is not a characteristic of the uprisings in South America. And this “weaker” need, in comparison to Africa, could be a cause for the stronger intergovernmental features of this region’s provisions, as there is no greater pressure to limit a country’s autonomy in favor of ROs.

The challenge posed by intergovernmental designs on MDPs is that “enforcement becomes subject to interstate bargaining, and therefore asymmetric enforcement capabilities play a larger role”, creating a “tutelage relationship in which some countries are perceived as enforcers and protectors, while others are seen as those to be protected” as stated by Closa and Palestini (2018). The authors’ contribution is illustrated by the fact that some political crises cases have managed to be framed as unconstitutional changes of government in Africa, and democratic breaches in South America, and other similar cases have not.

In this sense, double standards are also sources of ambiguity on what the democratic order is supposed to be, on both regions. For instance, a country might be considered democratic for having elections¹¹², or power alternance, what does not mean it presents free and fair political spaces. The same argument is valid for when the constitutional order is understood to be restored. Therefore, the interpretation of democratic breaches is not uniform, and varies according to many factors, which generates exceptionalism, and thus makes difficult the process of institutional consolidation on democracy protection.

While studying MERCOSUR’s dispute resolution system, Bressan (2012, p.35) affirmed that the use of informal or alternative means to address controversies among the RO, such as diplomatic mediations, would strategically avoid the use and strengthening of the institutional mechanism. This conclusion can be analogously applied to the democratic compliance bending regional organizations perform when assessing political crises differently, which turns the process of consolidation of MDPs extremely laborious, and democracy protection declaratory in the lack of institutionalization.

A particularly interesting example of exceptionalism and concept bending comes from a literature on *good coups* and *bad coups*. Ikome (2007) defined the terms by stating that

“Good coups could be described as those that are informed by a genuine desire on the part of coup-plotters to resolve unsettling societal realities, particularly in relation to poor leadership and the hardships that it brings to the

¹¹² The specialized literature has raised the concern about the dangers of “electoralism” to democratic quality. Schmitter and Karl (1991) have described the term as “the tendency to focus on the holding of elections while ignoring other political realities”. For more on the topic, see also SCHMITTER, P.; KARL, T. What Democracy is... and is not. *Journal of Democracy*, Volume 2, Number 3, Summer 1991, pp. 75-88

people – and against the backdrop of constrained political space for peaceful change. [...]On the other hand, bad coups would be those that topple visibly legitimate governments, and that appear to have been informed by the narrow interests of coup-plotters, rather than the public interest” (IKOME, 2007, p.14-15).

On the topic, Souaré (2014, p.81) adds that (military) coups are sometimes tolerated as they represent a “consequence of bad governance by the ousted regime”. The author also reports that “some regimes bequeathed by coups have turned out to be relatively better than the ones they overthrew, some of which were constitutional regimes in the legal sense of the word”. This perception consequently poses a potential problem for the MDPs consolidation, as cases of political crises are constantly evaluated with exceptionalities.

Thus, the realization that some coups could be “good” represents one of the challenges imposed by the regions’ democratic comprehension to the intergovernmental subjectivity of political crises’ addressment. At the same time, on the opposite side of the argument, Stoddard (2017, p.477) affirms that strict rules on coups represent an example of a “subverted benefit”, in that they serve to protect democracy, but they can also “function to deter coups in both democratic and autocratic states alike” (STODDARD, 2017, p. 477). The recent popular uprisings in Northern Africa have however demonstrated that organizations have used the tools provided by exceptionalism, to “turn a blind eye” on the fall of authoritarian regimes.

After the analysis of the developments and understandings behind democracy protection in each region, we once again highlight the role played by comparative regionalism in order to cover for aspects that will particularly interfere on the results and behaviors presented by each region and its organizations while dealing with shared competencies on overlapping settings. Furthermore, we reinforce the importance of studying how regional organizations react to the complex scenario of a such a sensitive issue to power and stability, as we comprehend that the challenges of norm subjectivity and low institutionalization are also one causative factor of friction between overlapping ROs.

5.2 Regional behaviors on overlappings situations

On the second chapter we presented the conceptual delimitations and the theoretical challenges posed by overlapping organizations for the complementarity and fragmentation of the regional scenario. The multilayered setting of international relations also provides defiances for the ROs, which must act and interact on issues related to their interests and mandates. Thus, in order to empirically understand the ROs behavior’s choice on this multilevel

instances, on first chapter we presented a preliminary table (table 1, p. 29) with the possible types of compartments ROs could adopt on an overlapping situation, based on the outcomes the literature has already predicted as potential results of the multiplicity of regional instances: synergy; cooperation; conflict; and segmentation (NOLTE, 2014).

The proposition of a typology assumes that organizational behaviors can be framed into categories that must be excluding in a way that each behavior only belongs to a single type. Nevertheless, in the case of overlapping ROs' actions, the typology must also be understood with a dynamic feature, since over time and space, the adoption of diverse organizational strategies leads to the differentiation of behaviors, which in turn can also produce a variation of types of perceived interactions.

The main idea defining the preliminary typology was the understanding that ROs' behaviors would have a direct relationship with the possible outcomes, but also be endowed with nuances. Thus, behaviors would not be only cohesive or fragmented, but range with mixed elements within the possible outcomes. This initial perception was achieved through empirical observations provided by the inductive research on case studies, which pointed out that ROs could cooperate while also competing for leadership.

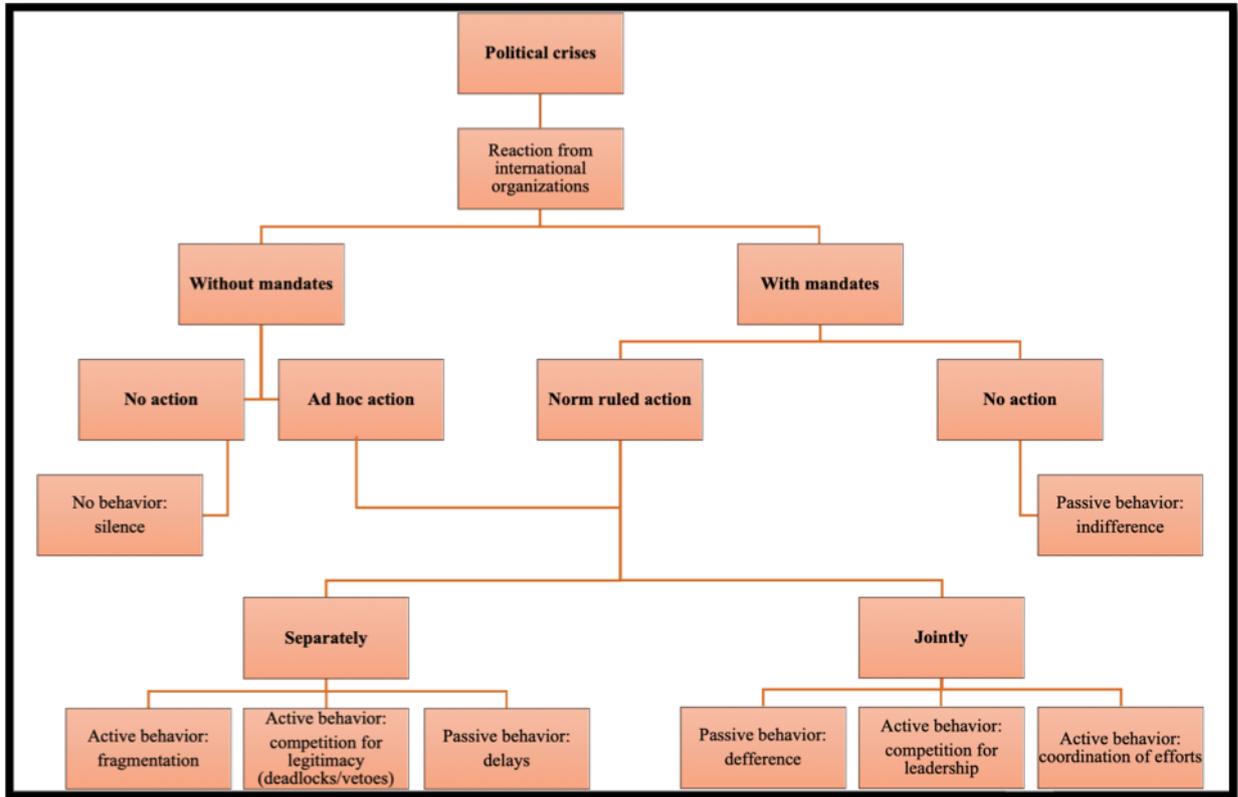
Having analyzed the African and South American regional responses to political crises on chapter 3 and 4, we have synthesized the ROs' actions through cases (see Appendix E) in order to provide a compilation of the perceived behaviors within the preliminary propositions. As a result, the typology formulation could be enhanced by the confrontation of the initial assumptions with the practical regional responses, which are exposed on figure 8 (p. 151).

The information gathered and displayed on figure 8 reinforces Brosig's (2011, p.152) theoretical approach on the triggers for the interplay between international organizations, that considers that diverging norms and behaviors, and the normative obligations are the main causes of interaction on overlapping scenarios. Thus, once a political crisis is perceived, it propels the reaction from international actors, such as the ROs this research analyses, which then will be bounded to respond or not, according to the normative pressure exerted by the regional mandates they have subscribed to; or, if this kind of pressure is absent and the ROs still react, they produce a divergent behavior, here understood as an *ad hoc action*.

Considered the motivations for action and interaction, if a RO does not have a mandate to respond to the problem situation, and thus does not act, it produces the expected behavior of silence, or no behavior at all, since the crisis resolution is not in its scope of action. As for the ROs that do have mandates, they can also not give in to normative pressures either

by choice or by inability to concretize action, and then present an indifferent and passive behavior.

Figure 8 – ROs' reactions to political crises in overlapping scenarios



Source: author's elaboration

ROs without mandates that respond to political crises rely on case specific solutions, for what we have called them ad hoc actions, but, regardless of the presence or absence of a mandate, once the ROs decide to act, the scenario of overlappings causes the behaviors to follow a common path that passes through the choice of acting jointly with the other ROs, or to perform separately. The observation of comportments on the empirical chapters has, at the same time, confirmed the assumptions that guided the preliminary typology, but provided for the perception of nuances that amplified the range of available behaviors, as we discuss below.

The adopted behaviors which followed the decision to act solo, have been perceived as having more conflictive effects, as the scenario of overlappings demands the concertation of actions to avoid conflicts and to promote regional cohesion; while the joint actions have produced more cooperative behaviors, that nevertheless, have not excluded the possibility of frictions through inter-organizational competition for leadership. Both joint and separated passive

behaviors presented similar characteristics of letting it go and not remaining seized of the conflict's mediation, but opposite outcomes of reinforcing and weakening other ROs' actions on cooperative and conflictive scenarios, respectively.

Active behaviors, however, presented more nuances, and therefore have received adjectives to distinguish between when joint action produces a full cooperation set (synergic) and when the agreements are achieved on a background of competition for a leadership position; and to separate action from when one RO's choice of action precludes other regional responses, of when the segmentation of conflict resolution through the adoption of divergent views leads to the fragmentation of the regional cohesion.

Table 9 – Updated typology of organizational behaviors

	Type of organizational behavior	Behavior	Behavior outcome	Regional outcome
Joint action	Cooperative-synergic	Coordination of efforts	Coordination or complementarity	Sinergy
	Cooperative-competitive	Competition for leadership	Agreement with frictions over regional prominence	Cooperation
	Cooperative-passive	Deference	Reinforcement of other RO's action	
Separated action	Conflictive-passive	Delayed or inexistent positioning	Resolution delays and other ROs' weakening	Conflict
	Conflictive-blockade	Competition for legitimacy	Deadlocks/vetoes prevent other ROs to act	
	Conflictive-clashing	Adoption of divergent actions	Fragmentation of regional cohesion	Segmentation
No action	Inexistent behavior	n/a	n/a	n/a

Source: author's elaboration

Combining the case-specific behaviors compiled on Appendix E and the preliminary typology findings provided on table 1, we have categorized the actions that can be framed on an updated version of the typology of behaviors which aggregates definitions of behaviors and outcomes, as seen on table 9 above.

In order to advance on the outcomes and possible causalities of RO's behavior, we move on to the ROs dyadic analysis, that is between sets of two organizations. This choice is also coherent with Brosig's (2011, p.152) propositions for international organizations' inter-

play analysis, as the author affirms that “mechanisms for interaction are more easily detectable when analyzing dyadic relationships”, which consequently facilitates the detection of behavioral mechanisms as well.

5.2.1 Analysis of dyadic relationships

The proposed idea of analyzing dyads is consistent with the behavioral typology’s formulation, since the established patterns to be followed by an organization are only noticeable if related to another organization, that is, they are only endowed with meanings if presented in a relative way to the overlapping system analyzed, since perceiving cooperation demands the presence of more than one actor. Moreover, as Weiffen (2017) states, “overlap changes the strategies open to national and international actors to achieve their preferences”, and thus influences the types of behavior to be chosen.

The dyadic analysis also contributes to the understanding of specific dynamics of each one of the regions presented on this study and provides insights about the influences of the composition of the overlapping settings on the behavioral types adopted by ROs, since Africa and South America’s regional projects have different levels of interdependence. This affirmation is justified by the comprehension that the AU serves as an umbrella organization that tries to harmonize the sub-regional integration settings, as we have previously mentioned, while South America is not bounded by any subsidiarity or formal cooperation principle among its blocs.

Furthermore, dyadic analysis provides an opportunity to investigate the differentiation among outcomes of vertical and horizontal overlaps while also offering more specific elements to be included on the reflections of causalities for the perceived behaviors. In order to illustrate, on the next page, we present two tables, in which we draw the compilation of presences and absences of perceived behaviors among ROs on all the cases analyzed by this thesis, which are detailed and systematized on Appendix E (p.192).

The criteria for the tables’ composition was the presence and absence of the reported behaviors in all cases analyzed, regardless of time and space. The exposed dyads prioritized the representation of the most relevant interplays, and the perceived actions support the behaviors previously proposed on table 9, as they are represented even if not uniformly on the regions.

Table 10 – Dyadic analysis of overlapping ROs’ behaviors in Africa

Type of organizational behavior interplay	Regional Organizations Dyads - Africa								
	AU – EAC	EAC – ECCAS	AU – ECOWAS	ECOWAS – CEN-SAD	AU – SADC	SADC – COMESA	AU – ECCAS	ECCAS – CEN-SAD	AU – AMU
Cooperative-synergic	X	X	X		X	X			
Cooperative-competitive			X		X	X	X		
Cooperative-passive		X							
Conflictive-passive									
Conflictive-blockade	X		X				X		
Conflictive-clashing	X		X		X		X		
No interaction				X				X	X

Source: author’s elaboration

Table 11 - Dyadic analysis of overlapping ROs’ behaviors in South America

Type of organizational behavior interplay	Regional Organizations Dyads – South America								
	CAN – OAS	CAN – UNASUR	ALBA – UNASUR	ALBA – OAS	MERCOSUR – UNASUR	MERCOSUR – OAS	MERCOSUR – CELAC	UNASUR – CELAC	UNASUR – OAS
Cooperative-synergic			X		X	X	X		
Cooperative-competitive							X		X
Cooperative-passive	X	X	X	X		X		X	
Conflictive-passive						X			
Conflictive-blockade	X		X	X					X
Conflictive-clashing	X		X	X	X	X			
No interaction									

Source: author’s elaboration

Moreover, the results affirm that the horizontal overlaps among sub-regional organizations, have produced less conflictive behaviors in both regions. One possible explanation

would be supported by Brosig's (2011) affirmation that the proliferation of international organizations fosters specialization in order to promote institutional survival. Thus, as states have to navigate the plurality of ROs to which they are members of, it is possible that the choice for lead mediation relies on the recognition of which sub-regional bloc has the better resources for conflict resolution and the direction of support from the other ROs at the same level.

This idea is also supported by Pratt (2018) and explains the occurrence of cooperative-passive behaviors, as the author explains that deference has distributional effects, meaning that "acts of deference confer legitimacy on specific institutions. They also shape or reinforce the distribution of governing authority among IOs".

Additionally, another possible explanation lies at the other end of the analysis: the presence of more conflictive behaviors between regional and sub-regional organizations. Nolte (2018, p.147) points out that "nested regional organizations can result in a particular conflict potential: the clash over regional domains". Thus, the actions from regional organizations could be perceived by sub-regional blocs as a form of interference that questions their capacity of action. The author adds that the conflicts on vertical interplays are generally over the exclusive right to exercise a mandate on a specific region (NOLTE, 2018).

This analysis is confirmed in different ways but in both regions. For instance, in Africa, the competition between ROs on vertical overlappings demonstrate the sub-regional blocs' search for legitimacy as leaders on crises' management. On the five sub-regions of the African continent, competition between the AU and the RECs was only not perceived in two cases: in Northern Africa as no interaction took place; and on the East, in a case where EAC blocked AU's interference by not condemning an UCG. Additionally, all of the conflictive-clashing behaviors are concentrated on this kind of overlap, in spite of Africa being the only region with provisions to organize the relationships among the regional and sub-regional levels.

In contrast, in South America, most of the vertical overlappings have produced cooperative-passive behaviors and deference in action from sub-regional to regional organizations. The exception is MERCOSUR, whose behaviors have been more synergic with other organizations, as it has presented central roles on the conflicts it participates, being the recipient of deference from the OAS in the only set of dyadic relations marked as cooperative-passive. One possible explanation for MERCOSUR's particular behavior would be its member states' ability to set regional agendas, especially regional powers Brazil and Argentina. Thus, MER-

COSUR, UNASUR and CELAC's actions are practically coordinated until the erosion of consensus in the region.

However, the South American region presents an element of distortion, if we consider that part of the organizations at the regional level, namely CELAC and the OAS, have a broader scope and cover more than the South American region. Thus, if regarded that the overlap among UNASUR and the OAS has characteristics of a vertical or nested interplay, the idea that the possibility of external interference would potentialize clashes over regional domains presented by Nolte is confirmed by the constant competition between them through the case studies.

While South America did not present a no interaction case, as even the ROs without mandates have opted to act through the studies cases, in Africa no conflictive-passive behavior was framed, since all ROs that reacted to crises have executed their actions, possibly as a result of the struggle for affirmation of its competences over the regional domain, as we previously mentioned.

Regarding the relationship among the AU and the RECs, ECOWAS and SADC are the ones that presented more types of cooperative behaviors with the continental organization. But, at the same time, ECOWAS is the one that also presented more types of conflictive behavior, even if all of the RECS that have interplayed with the AU displayed a clashing behavior at some point. These observations are coherent with the comprehension that ECOWAS was also the RO that had to interact the most with the AU, as it is the REC that most condemns UCGs, while they also affirm the difficulty of achieving continental cohesion and standards during periods of crises.

ECCAS was the only REC that did not present a synergic behavior with the AU out of the blocs that have interplayed. The difficulty of achieving synergy can be a result of the complexity of the case analyzed from the Central African Republic, which involved more than an UCG mediation, as it had to deal with multiple military interventions from different actors in a failed state. The multiplicity of interferences could be a causality for the competition displayed even on cooperation as the ROs are constantly trying to remain legit and relevant among the different international actors involved.

As for the relationships in South America, it is no surprise that the most conflictive responses are located on ALBA dyads, since even the creation of this RO served as a stand against external influences, especially those from the USA. UNASUR was the recipient of other sub-regional organizations' deference during a period of strengthening of the concept of South America as a region, but the situation changed after the Venezuelan crises eroded con-

sensus among the countries of the region, who lost their space for regional concertation at the “pan-South-American” level. Therefore, the possibility of framing multiple behaviors for the same set of dyadic relations also confirms the need to understand the typology as a dynamic resource, as time and space can interfere on the outcomes.

In this sense, Nolte (2018) thus affirms that “whether or not overlappings lead to problems depends on the strategies of those states that are members of different organizations”. However, the exposed dyadic behaviors would add to the statement by posing that it is the strategies adopted by the states *and* the involved ROs, *plus* the challenges of reaching consensus, allied to the ROs’ capacities to navigate the different organizational levels that condition the outcomes of overlapping.

5.3 *De facto* overlappings: Regional Organizations in action

The empirics of this thesis have provided for the analysis of regional behaviors and their influences on the generation of complementarity or fragmentation through the actions of overlapping ROs. But additionally, the study of regional behaviors also contributes for the understanding of what overlapping organizations really mean to their regions, other than a theoretical problem with practical constraints.

The relevance of such meanings lies on the fact that the existence of multiple organizations is not a conjuncture anymore, it is rather the structure in which ROs have to act and interact. Moreover, it was not only the number of organizations that increased over the years, but also the number of areas covered by the scope of the now multi-purpose ROs, which therefore present a tendency to increase complexity on organizational relationships on regional scenarios. Consequently, the empirical studies of overlapping regional scenarios and the possible outcomes generated by their contained interplays have the objective of understanding actors’ *real* behaviors and strategies, in order to minimize losses and increase regime effectiveness through the strengthening of ROs.

As have previously mentioned, only recently the literature has been more open to the idea of the existence of overlappings among ROs that would go beyond the traditional *de jure* overlapping focused on the membership-mandate relationship, as in the face of acute crises, these organizations tend to engage in actions that are not clearly prescribed by their mandate (NOLTE; WEIFFEN, 2018, p.3). Considering the gap between theoretical propositions and the need to understand and address regional challenges practically, we then used the regional

case analysis on chapters 3 and 4 and observed the relations between ROs beyond the sharing of member states or policy areas.

Bearing in mind the empirics of this research and the suitability of political crises as an acute criterium to observe behaviors, we synthetize what an overlapping in action has meant over the case studies. Through the empirics, we have perceived that the overlapping responses to political crises presented by the ROs would be a fruit of three situations: the presence of a mandate; action even in the absence of a mandate (ad hoc solutions); or the action performed on the account of an “extended” mandate, through which we categorize those situations where ROs have amplified their scope of action, but have not entirely formalized those mandates, either as a result of not having specific provisions over the issue, or of the existing normative documents not being in force yet. The categorization of mandates and actions from the main African and South American ROs described studied on this thesis is then shown on table 12, below.

Table 12 – Regional organizations mandates and actions on democratic breaches

No action	Action		
No mandate	No mandate	“Extended” mandate	Mandate
<ul style="list-style-type: none"> • AMU • CEN-SAD 	<ul style="list-style-type: none"> • EAC • ALBA 	<ul style="list-style-type: none"> • COMESA • ECCAS • IGAD • SADC • CAN • CELAC 	<ul style="list-style-type: none"> • AU • ECOWAS • MERCOSUR • OAS • UNASUR

Source: author’s compilation

We describe as the *de facto* overlappings all of the overlappings in action that are not norm-ruled (*de jure*), thus the situations where two or more ROs perform concurrently in order to respond to a specific event or issue area, but at least one of them does not have a mandate over the involved sectoral theme; or derives its competency to act from “extended” or not (yet) institutionalized mandates. Since these situations present no established procedures, ROs create ad hoc solutions which can be punctual and thus case-specific but can even repeat themselves over time until the mandate is formalized.

After this compilation and considering the case analysis on chapters 3 and 4, we systemized a list to illustrate situations that have represented overlapping actions’ causalities and

outcomes in practice, created from the observation of cases in both regions, Africa and South America. They are:

- Cases where ROs did not have a formal mandate over an issue but acted through the channels of a regional leadership or in favor of intergovernmental relations;
- Cases where the ROs had already included the sectorial theme on its declarations, and/or had mandates not yet in force, and thus engaged in actions that could help formalize it;
- Cases where the absence of a mandate only permitted very limited actions, that nevertheless served as a way of achieving the RO's objectives by legitimizing another blocs' conduct through diplomatic pressure and support;
- Cases where the overlapping scenario had nested characteristics and a subsidiarity principle convoked sub-regional blocs to act, even if a RO did not have an explicit mandate over the issue;
- Cases where organizational enlargements have produced the creation of provisions and competencies over an issue area that was not a part of the RO's original mandate.

As for the comparison of outcomes between the “traditional” overlapping (mandates and memberships) and overlapping in action, case study and figure 8 have demonstrated that the produced behaviors and effects are the same once ROs decide to act jointly or separately. Nevertheless, *de facto* overlappings can influence the process of choosing the kind of behavior to be adopted, as the absence of institutionalized rules has the potential to jeopardize cooperative behaviors by not being able to offer institutional predictability and inter-organizational trust. As we mentioned before, the use of informal channels also allows for the adoption of inconsistent positions, since they are always case specific, which is not helpful for the consolidation of regional procedures. On a more positive side, overlapping in action can also enable other organizations to perform and exert pressure for crises' resolution.

6 FINAL CONSIDERATIONS

Over the course of this thesis we sought to combine theoretical and empirical elements in order to provide contributions on the following main topics, that compile the motivations behind the formulation of the research questions:

- 1- How do ROs behave when sharing competencies over an issue?
- 2- What overlapping really means, both in terms of tracing the scenarios and in understanding the practical constraints?
- 3- What are the individual regional contributions to the study of regional organizations and political crises with regard to potential causalities?
- 4- Under what conditions the analyzed behaviors contribute to complementarity or fragmentation on regional cohesion?

For question 1, the empirics presented on chapters 3 and 4 allowed for the inductive understanding of the options of actions available on the field, and a compilation of possible behaviors was organized on chapter 5 in the form of a typology developed according to the theoretical propositions of the consequences of organizational behavior. The case analysis provided by the study of political crises and regional responses to democratic breaches confirmed the initial assumptions that the overlapping scenarios would present more nuances on the range between full cooperation and total segmentation. Also, during crisis' resolution, these nuances would also be perceived over time, as different actions from the ROs generated different behaviors.

With these results, we advanced to question 2. On chapter 2 we had provided the organizational mapping of Africa and South America, in order to understand in what conditions regionalism was inserted in both cases, with the help of political context and of visual elements to trace scenarios. But after we traced how ROs behave on a complex scenario through the case analysis, we were able to synthesize on chapter 5 what the overlaps really meant to those regions pragmatically, and to conceptualize what a *de facto* overlap meant in pragmatical terms, and what are the constraints imposed by this type of organizational interaction.

As for questions 3 and 4, while we have already laid out answer elements through the thesis, on this last section we would like to compile commonalities of both regions, with the aim to contribute to the future theoretical and analytical development of overlap studies. The objective is not to provide definitive answers, but to point out elements that were perceived through the case analyses to have impacted the area's agenda. Therefore, on the next sub-

sections we first address what are potential causalities for ROs behaviors on overlapping scenarios, departing from the African and South American experiences; and then we finalize our observations by summing up the practical effects observed on both regions and their contributions to regional complementarity or fragmentation.

6.1 Potential causalities of overlapping ROs' behavior choice on African and South American political crises

Even though establishing causalities was not a part of the objectives of this thesis, some factors and commonalities through the case studies were very noticeable, and their listing could contribute to support the continuity of the research agenda on overlapping ROs, as we established before. Regarding political crises, we acknowledge that the complexity of the cases presented go beyond the evaluation of an interplay between regional and sub-regional organizations and the thesis did not intend to separate it as one particular dynamic of the conflicts, or to discuss the merit of the organizational behaviors adopted or the domestic politics of the involved states. Instead, we benefit both from the potential for friction presented by shared competencies on the resolution of political crises and from the latent commonalities and differences between the crises' characteristics on the two regions in order to gather elements for the studies of regionalism.

The first intervenient factor we would like to highlight is the types of ROs and the differences in capacities among them. For instance, research has demonstrated the influences of the intergovernmental logics adopted by the regional blocs on their ability to concretize their actions due to the need of regional consensus. Similarly, the low level of institutionalization leads not only to inaction, but when ROs decide to act, it leads to the adoption of ad hoc solutions, or even to the choice for a passive behavior, endorsing other ROs with more capacities on the ground.

Another issue regarding the influences of institutionalization is how the complex scenario is constituted. On the African region, for example, the AU encourages sub-regional RECs to act, following a subsidiarity principle. The presence of a coordinating RO tends to produce the promotion of joint behaviors and the harmonization of practices. However, subsidiarity is not necessarily the same thing as hierarchy, and the different outcomes achieved relatively to each sub-region can vary as not all RO's are equally dependent on each other (BROSIG, 2011, p. 159).

A second factor of influence would be directly related to the first one, as it regards the possibility of interpretation, norm incompleteness, or also the gap between policy creation and implementation, among regional provisions on how to act. We have already established that there is no clear division of labor in any circumstance, not even on the regional setting ruled by the subsidiarity principle. But at times, overlappings' problematic consequences are not caused by the type of behavior adopted by the organizations themselves, but by the lack of clarity in the devices, which allows the actors to shape the mediation processes according to their preferences.

These politics generates exceptionalism on conflict mediation and subject the procedural rules to interpretation, damaging the sense of security and predictability the existence of common regional institutions was supposed to create, according to the institutionalist theory. For instance, the MDPs in South America do not provide a clear list of what situations should be framed under the notion of democratic breaches, as the African UCGs provisions do. But even with listing provided, African provisions are also subject to interpretation since the challenges of institutionalization make institutions dependent on other factors for implementation. One of them is the involved actors' political will, which in turn is subject to their limited or bounded rationality, and makes institutions not static, allowing actors are able to act and shape behaviors within them despite constraints. Thus, exceptionalism can also be perceived as a consequence of the absence of common standards among countries, as for example, the idea that regionalism was not born democratic in Africa and therefore has to allow concessions with existing characteristics in favor of integration.

Since we mentioned the actors' capabilities and standards, a third factor of influence on behaviors would be the involved countries' capacities. Lead regional countries, be it in the position of an afflicted country or of a negotiating one, are perceived to directly influence on political crises, to decide who gets to be intervened with and how, but even they present different capacities on the ground. One example that clearly illustrated this affirmation is how Paraguay in 2012 and Brazil in 2016 were perceived to go through parliamentary coups, even though nationally the impeachment processes happened accordingly with constitutional provisions. The different outcomes on regional intervention represent the discrepant regional capabilities for political constraint, with Brazil being the biggest country geographically and politically of the region.

Having extremely fragile or weak states also influence the countries' capabilities or political will to propel a regional response in a situation of crises. This can be exemplified by how some states are very reticent to condemn they neighbors, as their own domestic politics

might be questionable which reinforces the idea that “people who live in glass houses should not throw stones”.

Along the same lines of reasoning, another influential factor are the regional capabilities involved. As the dyadic analysis have shown, sub-regions present different resources to respond to crises. One factor of friction is that due to their closeness on the ground to the affected areas, in comparison with more comprehensive organizations, they often see themselves as the legit source of mediation for conflict resolutions, resisting from “external” interferences. Many cases have indicated that the AU and the OAS are oftentimes received with suspicion by affected countries and sub-regional ROs. This can be explained as Brosig (2011) has stated that cooperation creates a mutual dependency among international organizations, and they prefer to prevent it, in favor of their own autonomy and their hold over the regional domain. The author also affirms that cooperation finds its limits when the RO’s autonomy is compromised and that on a complex scenario, organizational specialization grants the survival of institutions, and thus ROs tend to take stronger stands in order to mark their territories.

Another issue related to regional capabilities is the presence and absence of overlapping reactions to conflicts. The study of African sub-regions has demonstrated it more clearly: the fact that the application of the UCGs framework is more prominent in one sub-region than in others is not necessarily a matter of a more conflictive geography. Northern Africa illustrates that less framed cases on a sub-region can be the result of weak regional instances (even “slumbering” ROs), or of weak domestic stands. Regional and domestic instabilities also lead to absence of action, to a point where the overlappings seem not to happen.

A fifth factor of influence is also directly related to regional and national capabilities but involves the presence of personalist political leaderships. In both regions, the proactivity of the ROs presidency, on the figure of Secretaries General or Commission Chairpersons have influenced the behaviors of ROs. Personal leaderships can also influence behaviors by rejection of appointed mediators. And, the intergovernmental relations of those leaderships can likewise generate impacts on the actions adopted. An interesting example of this last affirmation would be MERCOSUR’s stand against Lugo’s deposition. At the time, all of the four member states had a leftist or progressive government, and the impeachment of one of them by the opposition was a political blow that could not be tolerated.

Finally, one last factor of influence would be the presence of external pressures. Regional overlapping settings do not exist isolated on the international scenario but are rather a part of a much more complex system. ROs tend to opt for a proactive behavior and to take the lead as way of affirming its relevance on the international picture. Besides, as the empirics

have also demonstrated, external actors such as the UN, former colonial powers, international powers, and also rising regional powers can exert influence on how the ROs will decide to position themselves and act during a conflict.

Conclusively, the compilation of causalities has presented six main factors that influence the overlapping ROs behaviors: institutionality, provisions, countries capacities, regional capacities, political leaderships, external pressures. All of the perceived factors are inter-related and centered on the expected gains of the actions, with outcomes that can in turn be linked to different aspects: presence and absence of regional and external powers; institutionalization of normative provisions; realization of member states domestic interests and strategies; relevance of the policy domain to the RO's core; reluctance to let norms and behaviors be institutionalized; and dispute over the regional domain legitimacy.

6.2 Summing up the observed effects of overlapping actions on political crises for regional cohesion: complementarity or fragmentation?

Having analyzed the first three questions presented on the beginning of this section, the last step of this thesis is to dwell on the effects of overlapping organizations and political crises to regional cohesion, as proposed on the title. Are overlapping scenarios enhancing complementarity or fragmentation on their regions? We anticipate here that this question does not have a single answer, and the gathered results are not binary.

Still, the existence of friction and the potential for conflict is undeniable, as they not only come from the member states, but also from ROs. Weiffen (2017) had affirmed that "competition and conflict generally do not exist between organizations, but between states that act through these organizations". Thus, one might argue that it is not the overlapping of regional organizations which leads to competition, but that it is power competition between states/governments which entails institutional overlap.

However, it cannot be ignored that regional organizations function as the main actors in many situations and they represent the level of analysis here proposed. While we also do not disregard the role played by the member states on the agenda setting and institutional effectiveness, as well as the asymmetric capabilities and resource distribution among them, research has demonstrated that sub-regional ROs tend to compete on vertical overlappings in order to hold a grip of their influence over the region, especially among the African sub-regions.

Another source of potential fragmentation comes from the comprehension of overlappings in action, as they enlarge the possibilities of overlap and represent yet another area to generate friction and insecurity due to the lack of standard formal provisions. At the same time, they enable the participation of more actors on the processes, which has the ambiguity of enlarging the amount of work needed to grant consensus, but, also to increase complementarity if the ROs decide to cooperate, or even to prevent institutional blockages that jeopardize conflict resolution. On the Gambian case, for example, organizational cooperation provided support and legitimacy from the AU to the ECOWAS' intervention and brought about a relatively swift and peaceful solution.

Even though opinion and behavior clashes happen, both Africa and South America have demonstrated a certain degree of institutional learning from the experiences, either by the understanding that the creation of MDPs in both regions came as a result of critical moments of political crises; or by the observance of how the AU and ECOWAS have managed to reduce direct conflict over mediations, seen on the Gambian case, as the repetition of experiences provides for some degree of behavior institutionalization.

Due to the low level of institutionalization and intergovernmentalism, ROs in both regions suffer greatly from the effects caused by the dependency of member states to act, which directly affects the consequences for fragmentation or complementarity. For instance, on chapter 2, we presented three possible mechanisms that sabotage cooperation and that member states could use on an overlapping situation, as proposed by Gómez-Mera (2015): norm ambiguity; inter-institutional strategies; and the constant competition.

We had established with theoretical support that legal fragmentation can contribute to forum shopping, and those situations were empirically observed on the presented crises of chapters 3 and 4, when, for instance, Venezuela chooses UNASUR as the only mediator to the crisis, excluding the OAS's harder influences; or when the Burundian crisis lead the EAC and the AU to a blockade, as the domestic leaders relied on the sub-regional organization's lighter approach to avoid being sanctioned by the AU under the UCGs normative framework.

The second mechanism is also very much perceived on the Venezuelan crises, as the country uses the situation of overlap on its favor, in order to create an inter-institutional strategy that destroys consensus at the continental level by having the support of sub-regional allies and partners from other ROs. This type of behavior questions the legitimacy and the authority of a RO and threatens the efficiency of its actions. In fact, the crisis in Venezuela presented such a severe challenge to overlapping ROs, that not only they were not able to resolve the conflict up until this moment, but the divisions among member states and sub-regional

perceptions of regionalism ended up imploding UNASUR and destroying its capacity of action. It also generated the approximation of the like-minded governments in another regional configuration, such as the new regional political forums, the Lima Group and the PROSUR, the Forum for the Progress and Integration of South America, which could produce new overlaps even if not institutionalized, through overlapping actions.

For the elements here presented, Brosig's (2011, p.149) affirmation reinforces Gómez-Mera's third mechanism by stating that permanent uncoordinated organizational overlaps can produce negative consequences in the long run, and they might even "render some policy areas ungovernable by depriving IOs of general standards applicable to everyone". Those effects are already noticeable by the time expended on conflict resolution, notably with how the Malagasy political crisis took almost five years to be resolved, and the Venezuelan crisis has encountered no solutions over the past seven years.

All being said, even though overlapping scenarios have an intrinsic potential for frictions and fragmentation, the potentiality for cooperation and complementarity is something that can be fostered through regional politics. While overlaps are not equivalent to hierarchic relations, they also do not need to be if the roles to be played by the different regional actors are clear and common grounds are reached. Moreover, considering vertical overlaps, we consider that working to strengthen sub-regional capacities has potential benefits for the whole regional set. With more capacities, division of labor and a clearer set of norms, the vertical sets of blocs would not have to compete for leadership or take measures to exclude alien action, as these resources provide for more predictability and security on interplays, and thus strengthen regional cohesion.

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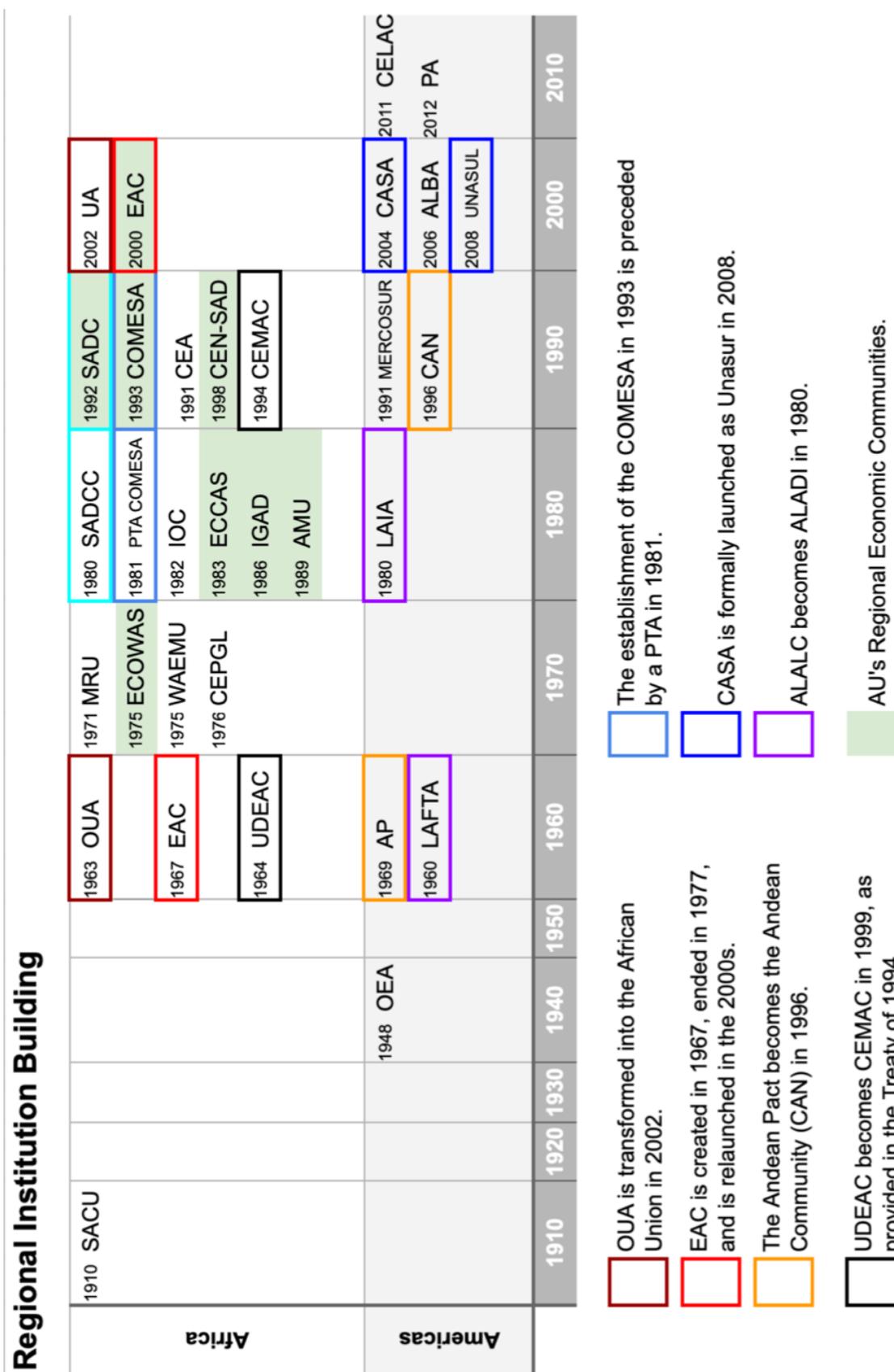
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APPENDIX A – REGIONAL ORGANIZATION BUILDING OVER TIME



Source: author's elaboration based on the RO's creation data.

APPENDIX B – SUCCESSFUL COUPS D’ÉTAT IN AFRICA 1963-2018

	Date	Country	Event
1	13/01/1963	Togo	Olympio is assassinated in a coup d’etat by military officers.
2	28/10/1963	Benin	Christophe Soglo leads a military coup d’etat.
3	17/02/1964	Gabon	M’ba is deposed in a coup d’etat by military officers.
4	19/06/1965	Algeria	Ben Bella is ousted in a coup d’etat.
5	25/11/1965	DRC	General Mobutu heads a coup d’etat.
6	29/11/1965	Benin	Tahirou Congacou conducts a successful coup d’etat.
7	01/01/1966	CAR	Jean-Bédél Bokassa takes over following coup.
8	03/01/1966	Burkina Faso	Sangoulé Lamizana deposes President Yaméogo in a coup d’etat.
9	24/02/1966	Ghana	President Nkrumah is overthrown by military officers.
10	08/07/1966	Burundi	Mwambutsa flees the country, during an unsuccessful coup d’etat.
11	19/07/1966	Nigeria	A military regime takes over after the civilian government is overthrown.
12	28/11/1966	Burundi	Michel Micombero ousts Ntare V.
13	13/01/1967	Togo	Eyadema, a member of the military coup d’etat that overthrew Olympio, ousts Grunitzky in a coup.
14	23/03/1967	Sierra Leone	David Lansana stages a coup.
15	19/12/1967	Benin	Alley conducts an assassinat coup d’etat.
16	18/04/1968	Sierra Leone	John Amadu Bangura leads a coup to overthrow Juxon-Smith.
17	03/08/1968	Congo	Ngouabi overthrows Massamba-Débat.
18	19/11/1968	Mali	Moussa Traoré leads military in a coup that ousts Keita.
19	25/05/1969	Sudan	Colonel Nimeiry overthrows government in coup.
20	01/09/1969	Libya	Army officers led by Qaddafi depose the Idris monarchy in a coup.
21	21/10/1969	Somalia	Muhammad Siad Barre overthrows government in a coup d’etat.
22	13/12/1969	Benin	Paul de Souza heads a coup d’etat.
23	25/01/1971	Uganda	Army leader Idi Amin overthrows Obote.
24	19/07/1971	Sudan	Major Hashem el Atta overthrows Nimeiry in a coup d’etat.
25	13/01/1972	Ghana	Akufo-Addo is deposed in a military coup led by Colonel Acheampong.
26	26/10/1972	Benin	Mathieu Kérékou leads a coup to overthrow Presidential Council.
27	15/04/1974	Niger	Seyni Kountché leads a military coup to overthrow Diiori.
28	13/04/1975	Chad	Tombalbaye is assassinated following coup d’etat led by Odingar.
29	29/07/1975	Nigeria	Gowon is deposed in a coup.
30	03/08/1975	Comoros	A coup d’etat removes Abdallah from power.
31	01/11/1976	Burundi	Jean-Baptiste Bagaza overthrows Micombero in a coup d’etat.
32	05/06/1977	Seychelles	A coup led by supporters of Prime Minister Albert René topples Mancham.

33	12/05/1978	Comoros	Said Atthoumani overthrows Soilih in coup d'etat.
34	05/07/1978	Ghana	Acheampong is forced to resign by Akuffo in a bloodless coup d'etat.
35	10/07/1978	Mauritania	Mustafa Salek ousts Daddah in a military coup.
36	24/12/1978	Rwanda	Army chief of staff Juvenal Habyarimana overthrows Kayibaramana in a coup.
37	11/04/1979	Uganda	Tanzanian troops invade Uganda (at the invitation of Obote). Idi Amin flees the country.
38	04/06/1979	Ghana	Akuffo is deposed in a coup d'etat led by Lieutenant Rawlings.
39	03/08/1979	Equatorial Guinea	Colonel Obiang Nguema leads a coup against Macías Nguema.
40	20/09/1979	CAR	Bokassa is removed from power following coup.
41	04/01/1980	Mauritania	Mohamed Haidalla stages a coup.
42	12/04/1980	Liberia	Samuel Doe, along with soldiers in the armed forces conduct a coup and assassinate Tolbert.
43	12/05/1980	Uganda	A coup d'etat by Paulo Muwanga overthrows Binaisa.
44	14/11/1980	Guinea-Bissau	Vieira ousts Cabral in a military coup.
45	25/11/1980	Burkina Faso	Saye Zerbo ousts President Lamizana in a coup d'etat.
46	01/09/1981	CAR	André-Dieudonné Kolingba removes Dacko in a coup.
47	31/12/1981	Ghana	Rawlings conducts another coup, deposing Limann.
48	07/06/1982	Chad	Hissène Habré leads a successful coup.
49	08/11/1982	Burkina Faso	Zerbo is removed in a coup d'etat led by Jean-Baptiste Ouédraogo.
50	04/08/1983	Burkina Faso	Thomas Sankara takes over after coup d'etat.
51	18/08/1983	Swaziland	Prince Dlamini, an advisor to Sobhuza II, deposes Queen Dzeliwe and is briefly the leader of Swaziland.
52	31/12/1983	Nigeria	The military overthrows the Shagari government.
53	03/04/1984	Guinea	Conté seizes power in a bloodless coup d'etat.
54	12/12/1984	Mauritania	Maouiya Taya comes to power in a coup d'etat.
55	06/04/1985	Sudan	Former Chief of Staff overthrows President Nimeiry in a coup. A ruling military council is established.
56	27/07/1985	Uganda	Army officers led by General Olara-Okello overthrow Obote.
57	15/01/1986	Lesotho	Jonathan is deposed in a coup led by General Lekhanya.
58	03/09/1987	Burundi	Pierre Buyoya overthrows President Bagaza in a coup d'etat.
59	15/10/1987	Burkina Faso	A coup d'etat occurs and President Sankara is killed.
60	05/11/1987	Tunisia	Ben Ali overthrows Bourguiba and assumes power.
61	30/06/1989	Sudan	A military coup led by Omar al-Bashir brings the National Salvation Revolution to power.
62	09/09/1990	Liberia	Doe is executed by Prince Johnson.
63	01/12/1990	Chad	Idriss Déby heads a successful coup d'etat.
64	27/01/1991	Somalia	President Siad Barre is overthrown.
65	26/03/1991	Mali	Touré leads a coup to overthrow Traoré.
66	14/01/1992	Algeria	Boudiaf leads a coup d'etat removing Benhabyles.
67	26/08/1993	Nigeria	Babangida leads military officers to overthrow Buhari.
68	27/10/1993	Burundi	Ndadaye is assassinated in a coup d'etat.
69	22/07/1994	Gambia	Jammeh overthrows President Jawara in a coup.
70	17/08/1994	Lesotho	Military leaders and King Letsie III stage a coup and dissolve Congress

71	15/08/1995	Sao Tome and Principe	Trovoada is overthrown by Manuel Almeida.
72	28/09/1995	Comoros	Combo Ayoubou comes to power after a coup.
73	16/01/1996	Sierra Leone	Army officers led by Valentine Strasser depose Momoh in a coup.
74	27/01/1996	Niger	Maïnassara leads a coup.
75	06/03/1996	Sudan	Bashir becomes president after overthrowing Al-Mirghani government.
76	29/03/1996	Sierra Leone	Strasser is ousted in a coup by members of his own military regime.
77	09/05/1996	Uganda	The military, led by Museveni overthrows the government.
78	25/07/1996	Burundi	Pierre Buyoya seizes power from President Ntibantunganya in a coup d'etat.
79	17/05/1997	DRC	Laurent Kabila overthrows Mobutu Sese Seko.
80	15/10/1997	Congo	Sassou-Nguesso heads a coup d'etat.
81	10/03/1998	Sierra Leone	Koroma leads a coup to overthrow Kabbah and becomes head of state.
82	08/06/1998	Nigeria	Sani Abacha conducts coup and becomes head of state.
83	09/04/1999	Niger	Maïnassara is assassinated in a coup led by Malam Wanké .
84	30/04/1999	Comoros	Colonel Azali Assoumani heads a successful coup d'etat.
85	07/05/1999	Guinea-Bissau	Mané leads soldiers in a revolt to depose Vieira.
86	24/12/1999	Cote d'Ivoire	Military officers overthrow Bédié, who flees the country.
87	16/01/2001	DRC	Kabila is assassinated.
88	15/03/2003	CAR	François Bozizé takes over in a coup d'etat.
89	16/07/2003	Sao Tome and Principe	Menezes is deposed in a coup led by Fernando Pereira.
90	14/09/2003	Guinea-Bissau	Seabra leads a coup d'etat, which deposes Lalá.
91	03/08/2005	Mauritania	The army stages a coup while President Taya is out of the country.
92	06/08/2008	Mauritania	The military stages a coup to remove President Abdellahi from power.
93	03/12/2009	Guinea	Camara establishes the National Council for Democracy and Development as an interim government.
94	18/02/2010	Niger	President Tandja is overthrown by Salou Djibo.
95	23/08/2011	Libya	Qaddafi is toppled and killed in a coup by rebel forces, after ruling Libya for 42 years.
96	22/03/2012	Mali	Sanogo leads a military coup to overthrow Touré.
97	12/04/2012	Guinea-Bissau	Kuruma leads soldiers in a coup to depose the interim president, Pereira.
98	24/03/2013	CAR	François Bozizé is ousted in a coup.
99	03/07/2013	Egypt	President Morsi is toppled in a coup led by the military.
100	21/11/2017	Zimbabwe	President Mugabe is pressured to resign by the military.

Source: Author's elaboration based on data provided by the African Leadership Transitions Tracker (SONGWE, 2019).

APPENDIX C – OTHER CASES

On the thesis prospectus presented to the committee, two other cases of UCG in Africa figured among the examples of the sub-regions: Côte d'Ivoire 2010-2011, and Guinea Bissau 2012. They were cut out of the final text analysis in order to prioritize other cases in all African sub-regions, since their results were very similar to those presented on the Malian 2012 case. Additionally, one case of political crisis from South America, the Bolivian case of 2008, was cut from the final examination as it did not entirely fulfil the scope conditions presented. The three cases are added here in this appendix as they corroborate the argument of competition between regional organizations, either among ECOWAS and the AU, or between UN-ASUR and the OAS.

Côte d'Ivoire 2010-2011

The conflict in Côte d'Ivoire begins in December 2010, after the elections, where there is doubt as to who was the winner: Laurent Gbabo, the country's president since 2000 or the opposition candidate, Alassane Ouattara. The election was the first in ten years, and the country's electoral commission declared the winner Ouattara with 54.1% of the vote. However, Gbabo refuses to relinquish power, claiming fraud in the north of the country, and appeals to the country's Constitutional Council, calling for the cancellation of the region's votes. The Constitutional Council supports Gbabo and proclaims the winner of the elections with 51.45% of the votes.

After attempts at negotiation, the electoral crisis generates a split in the country and escalating civil violence. ECOWAS and AU present themselves to intervene, but the performance is not coordinated. The Pan-African bloc sends external mediators to the sub-region, without combining efforts with ECOWAS, among them Thabo Mbeki, former president of South Africa. Although the AU formally recognized the election of Ouattara, Mbeki's mediation is viewed with suspicion by members of ECOWAS, as South Africa is a country outside the western sub-region, with a history of positioning itself as a pro-government. Other mediators have their work in the AU similarly mined (OBSERVATOIRE ..., 2011).

ECOWAS then calls upon itself the responsibility of intervention in Côte d'Ivoire, defines its support for Ouattara, decides to suspend the country of the organization until the settlement of the conflict and threatens to intervene militarily. In this situation, the positioning of ECOWAS fosters international consensus on the outcome of the elections.

An interesting piece of information on ECOWAS's position is the instrumentation of the West African Economic and Monetary Union (WAEMU), a sub-regional integration bloc in which ECOWAS members participate, to restrict access to financing by Côte d'Ivoire, while the suspension lasted.

Meanwhile, Gbabo uses the divisions between the blocs to lobby the AU, securing support from South Africa and Angola. In January 2011, the AU attempts to take the lead, discussing new ways of resolving the conflict, which would involve sharing power. However, Gbabo is irreducible, and in the face of the firm positioning of ECOWAS, the AU is unsuccessful. Thus, in March 2011, the AU backs out and agrees with the position taken by ECOWAS.

Results:

In the intervention carried out in Côte d'Ivoire, the overlapping of ROs generated a split in their actions, which compete for protagonism in the resolution of the conflict. Although finally the agreement between the organizations led to the resolution of the controversy, the way the negotiation takes place indicates the importance of the national actors in their blocs.

The strength of ECOWAS's positioning shapes the position of other international actors and is endorsed by the use of the nested economic bloc (WAEMU), as well as UN Security Council support for intervention by the Ouattara government. Thus, the AU is under pressure to abide by the decisions and has its credibility undermined by internal divisions and by the difficulty of speaking unitarily in the face of the conflict.

We found no evidence of CEN-SAD acting.

Guinea Bissau 2012

A military coup in April 2012 interrupts the electoral process in the country and seeks to justify its legitimacy by questioning the presence of Angola's Military and Technical Assistance Mission in Guinea Bissau (MISSANG) that was installed in the country, to prevent it being instrumented by the deposed government. The case of Guinea Bissau is complex because no democratic transition since its independence in 1974 is effective (DERSSO, 2013), and the crisis in Mali brings inspiration for the military to propose the creation of a junta, the National Transitional Council (NTC).

In the face of the situation, both ECOWAS and the African Union react, as well as other partners, notably the Community of Portuguese Speaking Countries (CPLP) and the

United Nations. Initially, the repudiation of the situation is unanimous. The AU defines that the CNT does not meet its demands. ECOWAS considers it unconstitutional and authorizes the use of the ECOWAS Standby Force (ESF) to assist in the transition.

However, as of the end of April of the same year, ECOWAS was more willing to negotiate with the military junta, despite strong criticism from other international actors, such as the European Union and the CPLP (DÖRING; HERPOLSHEIMER, 2018). Thus, in May, ECOWAS signs a new transitional agreement and employs a military and police force mission - ECOMIB - to facilitate the withdrawal of MISSANG and protect central power. Meanwhile, the position of the AU is maintained by the repudiation of the coup and by the suspension of the country from its activities until the restoration of democracy.

Results:

The case in Guinea Bissau reinforces the competition between the sub-regional and continental mechanisms for the leading role in the conflict. In addition, there is divergence in the mediator approach, which would enable forum shopping. Thus, ECOWAS' choice of acting and its agreement to negotiate with the junta, despite the initial repudiation, lead to ambiguity of interpretation between it and the AU, since the acceptance could give the impression of legitimacy to the junta's government.

In addition to the issues of competition and coherence between the regional mechanisms that are visible in this case, the fact that the AU maintained the Guinea-Bissau sanction until the 2014 elections could have further hampered ECOWAS's efforts to mobilize financial support for its work on the country (DÖRING; HERPOLSHEIMER, 2018), generating the effect of a veto actor.

Therefore, the case becomes the basis for questioning the division of labor between the AU and the RECs, as Dersso pointed out in 2013:

Despite the fact that the AU expressed support for ECOWAS' efforts in Guinea-Bissau, there is a continuing difference between the two on how they enforce the norm against unconstitutional changes of government. While ECOWAS has lifted the sanction on Guinea-Bissau, the sanction that the PSC imposed remains in effect. Apart from raising issues of consistency in the application of the norm against unconstitutional changes of government, this clearly illustrates the inadequacy of existing frameworks on the AU-REC relationship for ensuring policy coherence between the AU and RECs (DERSSO, 2013, p. 70-71).

As in the previous case, we found no evidence of CEN-SAD acting.

Bolivia, 2008

The Bolivian conflict is triggered by tensions between the central government and the eastern departmental governments, which, rich in natural resources, were dissatisfied and demanded the redistribution of the revenue accumulated by hydrocarbons. The provinces of Beni, Pando, Santa Cruz and Tarija, which had governors opposed to Evo Morales, were the scene of violent protests and their demands for greater autonomy threatened even the territorial integrity of the country (WEIFFEN, 2017).

Faced with the escalation of the conflict, Chilean President Michelle Bachelet, who led the pro-tempore presidency of UNASUR at the time, convened a special meeting in Santiago, to which the Secretary General of the OAS was also invited, so that a joint action between the two blocs could have been thought of. However, UNASUR chose to send its own mission. As Nolte (2018) points out, “as a new player, UNASUR (or the governments promoting the new organization, including Chile as the holder of the pro tempore presidency), had an interest in gaining visibility, and therefore acted separately”.

Results:

In the Bolivian case, there is no conflict of action, since both UNASUR and OAS stood against the secessionist movement from the opposition. Weiffen (2017) points out that there would be no forum shopping because the Bolivian government accepts the mediation of the two organizations, but Nolte (2018) states that UNASUR's performance was preferred by the president and the majority of the country's Constitutional Assembly.

Something that should not be disregarded in this and subsequent cases is the association of the OAS with the presence of the United States in the region, which is much contested by leftist governments. Early in the Bolivian conflict, for example, on suspicion of encouraging opposition rulers, the US ambassador was expelled from the country.

Accordingly, although the redundancy in the positioning of organizations has a positive effect of strengthening the central government's cause, one should not ignore the competition between the blocs in mediation, since the growth of UNASUR in this case has a legitimizing potential of its performance, which, in turn, would exclude external influences.

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APPENDIX D – POLITICAL CRISES IN SOUTH AMERICA 1990-2017: coups d'état, attempted coups and impeachments as ruptures of the constitutional order

	Country	Year	Event
1	Peru	1992	President Fujimori perpetrated a self-coup by dissolving the Congress, the constitution and the Supreme Court
2	Venezuela	1992	Hugo Chávez and the Bolivarian Revolutionary Movement 200 attempted a failed coup against president Carlos Andrés Pérez in 1992
3	Brazil	1992	President Collor de Mello resigned during an impeachment process against him over corruption scandals. The process continued after his resignation and he had his mandate terminated and political rights suspended
4	Venezuela	1993	President Pérez was impeached after the popular manifestations known as the Caracazo
5	Paraguay	1996	General Lino Oviedo attempted a coup against president Juan Carlos Wasmosy
6	Ecuador	1997	President Abdalá Bucaran was removed from office by the Congress over claims about his sanity
7	Paraguay	1999	Assassination of vice president Luís María Argaña and resignation of president Cubas
8	Paraguay	2000	Attempted coup allegedly by Oviedo's followers and political destabilization
9	Peru	2000	Questioning of electoral outcome as president Fujimori won for a third term on a dubious process followed by his resignation after fraud allegations
10	Ecuador	2000	Coup against president Jamil Mahuad after a period of severe economic crisis
11	Argentina	2001	President De la Rúa resigned after protests over a rigorous economic crisis
12	Venezuela	2002	Attempted coup d'état against president Hugo Chávez. The coup lasted 47 hours before Chávez was brought back with popular support
13	Bolivia	2003	President Gonzalo Sánchez de Lozada resigned forcedly after violent popular protests
14	Ecuador	2005	President Lucio Gutierrez was removed from office by the Congress after claims of constitutional violation
15	Bolivia	2005	President Carlos Mesa resigned after popular revolts and political instability
16	Ecuador	2010	Attempted coup against President Rafael Correa put him in house arrest
17	Paraguay	2012	President Lugo was impeached in 24 hours
18	Venezuela	2013-ongoing	Questioning of electoral outcome, democratic rupture and political violence
19	Brazil	2016	President Dilma Roussef was impeached and removed by the Congress under accusations of misconduct

Source: Author's compilation

APPENDIX E – COMPILATION OF MAIN ROs’ BEHAVIORS THROUGH CASE STUDIES

Africa:

For the African region, the Gambian case is not explored on the tables as it only produced cooperative-synergic behaviors among ECOWAS and the AU. Similarly, as the Egyptian case propelled no overlapping actions and we could not analyze the RO’s behaviors, it is not listed on the provided tables, likewise the other RECs that have not acted through the studied cases.

Madagascar 2009 –2013	SADC- AU	Cooperative – Synergic – both ROs	SADC: Conflictive - Clashing	AU: Cooperative - synergic	AU: Cooperative competitive	Cooperative Synergic – both ROs
		Suspension and rejection	SADC and other ROs push for military action, which is rejected by the AU	SADC backs down on the use of force and appoints a mediator that is supported by other ROs	The AU supports SADC’s lead mediator but implements initiatives to conduct the negotiations (ICG)	Cooperation for on sanctions and on the stand for elections (even though with delays because of frictions)
	SADC- COMESA- Other ROs	SADC - COMESA: Cooperative - synergic		All sub-regional ROs - SADC: Cooperative - passive		
		Both ROs agree on the use of military force		Support and deference on conflict resolution		

Mali 2012	ECOWAS- AU	Cooperative –Synergic - both ROs	ECOWAS: Conflictive – Clashing	AU: Conflictive - blockade	ECOWAS: Conflictive - Clashing	Cooperative - Synergic - both ROs
		Suspension and rejection	ECOWAS tried to bypass the AU for military action	The AU vetoes the ECOWAS’ action by lack of support	During mediation, cohesion is fragmented when ECOWAS recognizes new president, lifts suspensions and AU doesn’t	Cooperation for military deployment (even though it was delayed because of the frictions)
	ECOWAS- CEN-SAD	No behavior No response from CEN-SAD nor interaction				

CAR 2013	ECCAS - AU	ECCAS: Conflictive - clashing	AU and ECCAS: Cooperative - competitive	ECCAS-AU-UN Conflictive - blockade	AU: Cooperative - competitive
		AU condemns, but ECCAS de facto recognizes the coup leadership by negotiating with the perpetrators, against AU normative	Competition over leadership. ECCAS was already on the ground and AU institutes ICG	The AU takes over ECCAS mission/ the UN takes over AU's mission, generating a blockade	Even after the mission take overs, the ROs cooperate but compete for prominence on conflict mediation
	ECCAS - CEN-SAD	No behavior No response from CEN-SAD nor interaction			

Burundi 2015	EAC -AU	Cooperative Synergic – both ROs	EAC: Conflictive - blockade	AU: Conflictive - clashing	EAC: Conflictive - blockade
		President should not run third term	EAC abides by Constitutional Court and blocks the AU action	The AU tries to act solo, without EAC agreement	EAC's veto action holds and the AU action gets compromised
	EAC - ECCAS	Cooperative - Synergic Support the decisions		ECCAS: Cooperative - passive Defers to AU-EAC leadership	

South America:

For the South American cases, we have divided the Venezuelan crisis in two parts, since the adopted behaviors have varied under different regional compositions. Moreover, the second part of the crisis has a particularity that the behaviors perceived are not directly institutionalized by the involved ROs, meaning it is not ALBA the organization that blocks other RO's actions, or MERCOSUR that precludes UNASUR from acting, but the position adopted by its member states. This events are possible due to the low institutionality of South American organizations, and the absence of a hierarchy or a sense of belonging among them.

Ecuador 2010	UNASUR - OAS	Cooperative - Synergic	UNASUR: Cooperative - competitive
		Both organizations condemn the coup attempt	UNASUR takes the lead on its diplomatic efforts
	ALBA/ CAN - UNASUR/ OAS	CAN and ALBA: Cooperative - passive Supports organizations with diplomatic declarations but defer the action.	

Paraguay 2012	MERCOSUR- UNASUR	Cooperative – Synergic – both ROs	
		MERCOSUR and UNASUR convene a joint meeting and decide to condemn and sanction Paraguay	
	MERCOSUR/UNASUR/ CELAC – OAS	OAS: Confictive - passive	OAS: Confictive - clashing
		The OAS takes a long time to decide how to act	The OAS does not condemn Paraguay, imposes no sanctions and causes the regional consensus to fragment

Venezuela I 2013 –2015	MERCOSUR/ ALBA – UNASUR	Cooperative-synergic – both ROs	
		All organizations offer support to Venezuela’s “democracy”. MERCOSUR supports UNASUR with diplomatic efforts to endorse mediation	
	UNASUR – OAS	OAS: Cooperative - competitive	UNASUR: conflictive - blockade
		Tries to take the lead on negotiations	The Venezuelan government manages to veto OAS mediation through the use of UNASUR

Venezuela II 2016 – current	MERCOSUR - OAS	OAS: Cooperative-passive	
		MERCOSUR has suspended Venezuela and OAS’ behavior would have been synergic if it weren’t for the bloc’s lack of institutional autonomy to apply sanctions on member states without reaching a unanimous consensus. Thus, the OAS’ statements reinforce MERCOSUR but are also passive for not being able to act	
	ALBA/ CELAC – UNASUR/ OAS	Confictive - blockade*	Confictive - clashing*
		Due to intergovernmental institutional constraints, the OAS is unable to condemn Venezuela, considering that the country relies on its ALBA/CELAC partners to prevent consensus to be achieved at the continental level.	Inaction generates fragmentation since the region is not able to provide a cohesive response to the crisis, and it leads Venezuela to ask to leave the organization, besides ruining UNASUR, as seen below
	UNASUR - OAS	No behavior	
	UNASUR is imploded by the lack of consensus caused by the Venezuelan crisis, which leads half of its member states to abandon the organization in 2018, and thus it is not able to act anymore		
	MERCOSUR – UNASUR	Confictive-blockade	Confictive-clashing
		MERCOSUR member states’ actions prevented UNASUR to support Venezuela after the aggravation of the conflict	The impasse derived from the inability of consensus or action ruined UNASUR as the member states that had clashing views walked out of the organization

Source: author’s compilation