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Policy Brief

Electoral Legitimation of Military Coups in Gabon and Guinea: AU's Normative Credibility and Enforcement Capacity at Crossroads?

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Executive Summary

In a communiqué issued on 23rd January 2026, the African Union Peace and Security Council (AUPSC) lifted Guinea's suspension following the country's 28 December 2025 presidential election. This decision mirrored the AU's approach in Gabon in 2025, when the country's suspension was lifted after a presidential election. This was done notwithstanding its inconsistency with Article 25(4) of the African Charter on Democracy, Elections and Governance (ACDEG), which prohibits perpetrators of Unconstitutional Change of Government (UCG) from participating in elections organised to restore constitutional order. Together, these cases highlight a broader and re-emerging pattern in the AU's management of post-coup transitions. This policy brief, therefore, examines transitions from military rule to democratic leadership in Africa through the comparative cases of Gabon and Guinea. It finds that while elections remain central to democratic governance, prevailing post-coup transition practices have been to hold elections that consolidate and constitutionally legitimise military coup leaders. The brief argues that the AU's response to the electoral legitimisation of military coups, particularly by lifting suspensions, risks incentivising rather than deterring military takeovers, as coup leaders may anticipate eventual constitutional legitimisation through elections. It concludes with actionable recommendations to reverse this trajectory and prevent elections from serving as a pathway for legitimising unconstitutional power seizures.

Key Points

- While elections are central to democratic governance, the prevailing post-coup transition practice has been holding elections that consolidate and constitutionally legitimise military coup leaders.
- By prioritising reintegration over strict adherence to its legal framework, the AU risks fostering an environment in which military coups are seen as politically manageable, thereby encouraging new military takeovers and emboldening incumbent juntas to remain in power through electoral legitimisation in anticipation of AU endorsement.
- The AU Peace and Security Council (AUPSC) should explicitly reaffirm the legally binding nature of Article 25(4) of the ACDEG and make reintegration into AU decision-making bodies conditional on full compliance with this provision. This will help restore the deterrent value of the AU's anti-coup normative framework and reinforce the AU's credibility as a protector of constitutional governance.

Introduction

Since the early 2000s, the African Union (AU) has developed one of the world's most advanced normative frameworks against unconstitutional changes of government (UCG). Central to these frameworks is the African Charter on Democracy, Elections and Governance (ACDEG), which not only condemns UCGs but explicitly prohibits in its Article 25 (4) perpetrators of UCG from participating in "elections held to restore the democratic order or hold any position of responsibility in political institutions of their State".

However, the AU's implementation of this norm has remained inconsistent almost two decades after the adoption of the ACDEG. In Madagascar (2009–2013), following Andry Rajoelina's unconstitutional seizure of power, regional and continental pressure culminated in a transition arrangement that barred him from contesting the 2013 presidential election (Witt, 2020, pp.165-166; Nyinevi & Fosu, 2023, p.107). This demonstrated AU's ability to enforce Article 25 (4) of the ACDEG, thereby preventing a coup perpetrator from using elections to legitimise an unconstitutional regime. By contrast, following Egypt's 2013 military coup, the AU ultimately accepted an electoral process in which General Abdel Fattah el-Sisi, who had led the coup, contested and won the 2014 presidential election, effectively normalising the participation of coup leaders in post-coup elections (Duzor & Williamson, 2023, graph 1; Nyinevi & Fosu, 2023, p.107).

This inconsistency in the application of Article 25 (4) has created a permissive environment in which military regimes increasingly use elections to legitimise their coup. The recent transitions from military rule to democratic leadership in Gabon and Guinea reflect this dynamic. In both countries, military leaders oversaw transitions that culminated in the organisation of presidential elections, which they both contested and won. This policy brief, therefore, examines the comparative trajectories of military-led transitions

in Gabon and Guinea, particularly on how they both leveraged elections to gain political legitimacy, resulting in the AU's lifting of their suspensions. It equally assesses the implications of these legitimisation strategies for the AU's normative credibility and enforcement capacity and provides actionable recommendations to prevent military coups from gaining legitimacy through elections.

From Military Rule to Democratic Leadership: The Comparative Cases of Gabon and Guinea

The transition from military rule to democratic leadership in Guinea unfolded over the prolonged period from September 2021 to January 2026. On September 5, 2021, Guinean Special Forces (GSF) led by Lieutenant-Colonel (now General) Mamadi Doumbouya deposed President Alpha Condé, who had won a controversial third term in office in October 2020 (ICG, 2021, para. 1; GGA, 2021, para. 5). They then suspended the constitution, adopted a Transitional Charter, dissolved the government and established the Comité National du Rassemblement et du Développement (CNRD) as the governing authority, with Doumbouya subsequently sworn in as interim president on October 1, 2021.

In response to the military coup, the AU endorsed ECOWAS's suspension of Guinea by equally suspending the country's membership on September 10, 2021, while demanding a return to constitutional order (AU, 2021, paras. 3-4, 8). A key component of Guinea's transition to constitutional order was the process of constitutional reform, which resulted in the adoption of a new constitution approved by 89.4% of voters in the referendum of September 21, 2025 (International IDEA, 2025, para. 1). The new constitution did not only remove Article 46 of the Transitional Charter that prohibited members of the CNRD from standing for election

but also extended the presidential term from five to seven years, renewable ones (Constitution of Guinea, 2025, Article 44). These changes directly reshaped the political landscape in ways that favoured Doumbouya, who could legally run for elections. Consequently, on December 28, 2025, Mamady Doumbouya won the presidential election with over 86.7% of the vote, thereby transitioning from a military coup leader to a constitutionally elected president (BBC, 2025, para.1). Following the elections, the AU lifted Guinea's suspension on 23 January 2026 during the 1325th meeting of the Peace and Security Council (African Union, 2026, para.4), marking the country's return to the AU and formal restoration of constitutional order.

In contrast to Guinea's prolonged four-year transition, Gabon experienced a comparatively swift transition from military-led to civilian government between 2023 and 2025. On August 30, 2023, senior military officers operating under the Committee for the Transition and Restoration of Institutions (CTRI) announced they had seized power just hours after the then-President Ali Bongo was declared the winner of a disputed election. While the takeover was met with public celebrations in Libreville for ending more than five decades of the Bongo family rule, it was condemned by the AU and the Economic Community of Central African States (ECCAS), resulting in Gabon's suspension from both bodies. General Brice Clotaire Oligui Nguema, who had led the coup against his cousin, was sworn in as Interim President on September 4, 2023.

As in Guinea, constitutional reform was central in Gabon's transition. In April 2024, the military government convened a National Dialogue to design a new constitution, which analysts argued was aimed at legitimizing the military government (Lawal, 2025, para.3; Powell & Hammou, 2024, para.9). Oligui subsequently stood as a candidate in the April 2025 presidential election, winning by an overwhelming margin of 94.85% of the votes (Reuters, 2025, Sentences 1-4). Following the

formal end of the transition through elections, the AU lifted Gabon's suspension at the 1277th meeting of the Peace and Security Council, citing the successful restoration of constitutional order (African Union, 2025, para. 10).

Viewed comparatively, Guinea and Gabon have several similarities despite differences in their respective transition period (see Table 1). In both cases, the military-led government suspended existing constitutional orders, initiated constitutional reforms that enabled the military junta's participation in politics, organised elections and secured overwhelming electoral victories for military leaders. At the continental level, the AU followed a similar pattern: suspension after the coup and readmission after elections. This shared pattern raises a fundamental question as to whether military-led transitions in Africa are producing genuine democratic leadership or merely repackaging military rule in civilian form. This question speaks directly to the AU's normative credibility and enforcement capacity.

Table 1: Comparative Overview of Transitional Processes in Guinea and Gabon

Comparison Factors	Guinea	Gabon
Year of Coup	2021	2023
Transition Duration	Prolonged (2021–2026)	Swift (2023–2025)
Transition Authority	Military-led government (Mamadi Doumbouya / CNRD)	Military-led government (Oligui Nguema / CTRI)
Immediate National Measures Post Coup	Constitution suspended, transition charter adopted, government dissolved	Constitution suspended, transition charter adopted, government dissolved
AU Response Post Coup	Suspension	Suspension
Non-Immediate National Measures Post Coup	Constitutional reform (adoption of new constitution), presidential elections	Inclusive National Dialogue, Constitutional reform (adoption of new constitution), presidential elections
Coup Leader as presidential Candidate	Yes	Yes
AU Response Post Elections	Suspension lifted (Jan 2026)	Suspension lifted (April 2025)
Overall Pattern	Military leader becomes democratically elected president	Military leader becomes democratically elected president

Source: Author's compilation from AU Communiqués and National documents.

Between Norms and Practice: The AU's Contradiction with Article 25(4) of the ACDEG

The AU possesses legally binding norms intended to deter UCG and prevent coup leaders from using elections to legitimise their unconstitutional seizure of power. Central to these norms is Article 25(4) of the ACDEG, which explicitly prohibits perpetrators of unconstitutional changes of government from participating in elections held to restore constitutional order or from holding public office thereafter. The intent of this provision is clear: to prevent the use of elections as a means of legitimising coup-born regimes.

In practice, however, while the AU regularly suspends member states following coups, the lifting of these suspensions has become largely conditional on the organisation of elections, even when they don't comply with Article 25(4). The cases of Gabon and Guinea illustrate this contradiction. In both contexts, coup leaders Oligui Nguema and Mamadi Doumbouya participated in and won presidential elections, thereby transforming themselves from unconstitutional leaders into elected heads of state. While their candidacies and subsequent victories were a clear violation of Article 25(4), the AU proceeded to recognise the electoral outcomes in both countries and lifted the suspensions (AU, 2025, para. 4; AU, 2026, para. 4).

While this recognition reflects AU's pragmatic prioritisation of political stability, it nonetheless redefines constitutional restoration in procedural rather than substantive terms, reducing it to the mere conduct of elections regardless of who organises them, who contests them, and under what political conditions. Additionally, such an interpretation not only weakens AU's normative credibility by converting a binding legal obligation into a flexible political option but also undermines its enforcement capacity, reduces deterrence against future coups, and transforms elections into an exit strategy for coup leaders.

The AU thus finds itself at a critical crossroads. On the one hand, it can reaffirm its commitment to Article 25(4) by asserting that the exclusion of coup leaders from electoral competition and political offices is a non-negotiable condition for reintegration. On the other hand, it can continue down the path of pragmatic accommodation for political convenience, prioritising the reintegration of suspended countries over normative consistency. The chosen trajectory will determine whether the AU's anti-coup normative frameworks remain relevant to continental governance or have become merely a symbolic set of aspirations routinely overridden for political convenience.

Conclusion and Recommendations

The AU's normative frameworks unequivocally reject UCGs and, through Article 25(4) of the ACDEG, seek to prevent coup leaders from legitimising unconstitutional power seizures through elections. However, the AU's responses to the presidential elections in Gabon and Guinea, particularly the lifting of their suspensions, raise serious questions about the credibility and deterrent power of the continent's anti-coup norms, as well as the organisation's practical capacity to enforce them consistently. The AU is therefore at a critical turning point of either strictly upholding anti-coup norms or pragmatically

endorsing coup leaders who use elections to gain political legitimacy. The latter will further erode the deterrence power of the AU's anti-coup norms, embolden military leaders to follow the same electoral pathway and undermine the AU's role as a protector of constitutional governance. In light of this, the following policy actions are recommended:

- The AUPSC should explicitly reaffirm the legally binding nature of Article 25(4) of the ACDEG and clarify that military coup leaders are prohibited from contesting elections. This will ensure that the lifting of the suspensions on Gabon and Guinea does not set a precedent for future cases.
- The AUPSC should ensure that the reintegration of countries into AU decision-making bodies is conditional on full compliance with Article 25(4), while making the costs of prolonged suspension or withdrawal clear. This would help restore the deterrent effect of the AU's anti-coup frameworks and reassert the organisation's role as a credible guardian of constitutional governance in Africa.
- The AUPSC should adopt clear guidelines on what constitutes "restoration of constitutional order" to eliminate ambiguity in the substantive interpretation of the norms and prevent UCG perpetrators from exploiting loopholes to gain legitimacy.
- All AUPSC decisions related to suspension lifting and reintegration should be accompanied by detailed legal reasoning that explains how they align with AU norms. This will enhance the transparency, legitimacy and credibility of AU decisions.

References

- African Union. (2007). *African Charter on Democracy, Elections and Governance* [Charter]. <https://au.int/sites/default/files/treaties/36384-treaty-african-charter-on-democracy-and-governance.pdf>
- African Union. (2021, September 10). *Communiqué from the 1030th meeting of the Peace and Security Council on the situation in the Republic of Guinea, held on 10 September 2021* [Communiqué]. <https://www.peaceau.org/uploads/eng-finalcommuniqué-situation-in-guinea-10-sept-2021.pdf>
- African Union. (2025, April 30). *Communiqué from the 1277th Meeting of the Peace and Security Council, held on 30 April 2025, on the Review of the Political Transition Program of the Gabonese Republic* [Communiqué]. <https://www.peaceau.org/uploads/1277.comm-en.pdf>
- African Union. (2026, January 23). *Communiqué from the 1325th Meeting of the Peace and Security Council, held on 22 January 2026, on consideration of the Political Transition in the Republic of Guinea* [Communiqué]. <https://www.peaceau.org/uploads/1325.comm-1-en.pdf>
- BBC. (2025, December 31). *Guinea junta chief wins presidential election by landslide*. <https://www.bbc.com/news/articles/cx2520nyp8yo>
- Duzor, M., & Williamson, B. (2023, October 3). *By the Numbers: Coups in Africa*. VOA News. Available at: <https://projects.voanews.com/african-coups/>
- GGA. (2021, September 9). *Guinea's coup: why it happened and where to from here?* <https://gga.org/guineas-coup-why-it-happened-and-where-to-from-here/>
- ICG. (2020, September 9). *Condé's Removal Clears the Way for the Army to Regain Control of Guinea*. <https://www.crisisgroup.org/qna/africa/guinea/condes-removal-clears-way-army-regain-control-guinea>
- International IDEA. (2025, September 26). *Guinea approves new constitution in referendum ahead of elections*. <https://www.idea.int/democracytracker/report/guinea/september-2025>
- Lawal, S. (2025, April 12). *Gabon's first election after collapse of the Bongo dynasty: What's at stake?* <https://www.aljazeera.com/news/2025/4/12/gabons-first-election-after-collapse-of-bongo-dynasty-whats-at-stake>
- Nyinevi, C., & Fosu, R. (2023). The African Union's Prohibition of Unconstitutional Changes of Government: An Uneasy Choice between Fidelity to Principle and Pragmatism. *African Security*, 16 (1), 95–119. <https://doi.org/10.1080/19392206.2023.2195748>
- Powell, J. & Hammou, B. S. (2024, November 29). *Gabon's coup leaders have changed the constitution to entrench their power – it's a growing trend in West Africa*. <https://theconversation.com/gabons-coup-leaders-have-changed-the-constitution-to-entrench-their-power-its-a-growing-trend-in-west-africa-244182>
- Republic of Guinea. (2021, September 27). *Charte de la Transition*. <https://coursupreme.org.gn/fr/la-charte-de-la-transition-de-2021/>
- Republic of Guinea. (2025). *Constitution of the Republic of Guinea*. <https://coursupreme.org.gn/wp-content/uploads/2025/12/CONSTITUTION-DU-26-09-2025-RG.pdf>

- Reuters. (2025, April 25). *Gabon's constitutional court confirms Nguema's presidential win*. <https://www.reuters.com/world/africa/gabons-constitutional-court-confirms-nguemas-presidential-win-2025-04-25/>
- Witt, A. (2020). *Undoing Coups: The African Union and Post-coup Intervention in Madagascar*. London: Zed Books Ltd.

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