Mali: A Transition for Rethinking Security and Stability

Paving the way for a successful transition, identifying flaws in the security approach, and establishing the role of the international community.

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Introduction:

The international community was fast to condemn Mali's coup carried out by a group of army generals on 18 August, and called for an immediate return to the 'rule of law' and 'constitutional order.'[1][2] The arrest of Mali's President Keïta (known as IBK) was denounced as a threat to Malian Democracy 3 in spite of the controversial nature of the recent legislative elections and accounts of violent repression of the protests. ECOWAS's stringent denunciation of an unconstitutional change of government denotes a certain double standard; the economic union has failed to equally condemn Ivory Coast's President Ouattara for seeking re-election through unconstitutional means.

KEY TAKEAWAYS

> The coup has instigated a wave of condemnations by the international community, which is demanding a rapid return to civilian rule, but rushing the transition could lead to repeating the mistakes of 2012.

> The magnitude of the crisis calls for the transition used as momentum to find solutions to the Malian crisis through an inclusive process.

> The security approach, until now, has been short-sighted and predominantly military which has contributed to exacerbating the crisis.

> It is essential to involve civil society in SSR, to establish a functioning justice system, and emphasise sustainable development and state-building to tackle the drivers of the crisis.

[1] https://www.un.org/press/en/2020/sc14279.doc.htm
[2] https://www.france24.com/en/20200819-mali-coup-leaders-face-international-condemnation-au-suspends-membership

[3] https://www.france24.com/en/20200818-ecowas-calls-on-mali-soldiers-to-end-the-mutiny

It is important to contextualize the coup and understand what it could mean for the future of the country and the sub-region, especially regarding the spiralling security crisis.

The Coup in Context: Building a Constructive Transition

Mali's coup has been overwhelmingly portrayed in negative terms in the public debate internationally. It has been described exclusively as a 'putsch'[4] [5] [6] in French and European media outlets and in public declarations by ECOWAS for instance. The popular support it received has seldom been acknowledged. Similarly, the contestation movement that emerged in reaction to the controversial legislative elections and grew into the M5-RFP has consistently been presented as a risk of Islamist resurgence,[7][8][9] solely based on the background of its symbolic leader Imam Dicko, notably by IBK and in French media outlets. Though, none of the movement's demands are religious. In addition, the public debate has revolved around claiming potential foreign interference through the coup, pointing towards Russia [10] in particular. It is important to contextualize the Malian coup and avoid the mistake of approaching it as 'just another African military coup'[11] or discrediting its popular dimension.

After months of protests led by the M5-RFP movement with the core demand of the resignation of President IBK and Prime Minister Boubou Cissé, a military coup was far from unpredictable. The M5-RFP is a civil opposition coalition that was born out of contestation protests against controversial legislative elections and Mali's Constitutional Court invalidation of 31 legislative election results. [12] The Court awarded 10 additional seats to IBK's ruling party, thereby giving it a parliamentary majority.[13] Nevertheless, the opposition movement evolved beyond contestation of the elections. The months-long civil unrest was driven by deep-rooted discontent with a multidimensional crisis to which a solution has been awaited for several years.

The government failed to deliver on its promises of tackling pressing issues of governance and security. The M5-RFP called into question Mali's entire system of governance. The CNSP is not officially affiliated to the M5-RFP but there is no denying its coming into existence and the coup were direct consequences of the contestation movement.

The coup is comparable in terms of context to the 2012 coup against Amadou Toumani Touré (ATT). The reasons for both coups are essentially the same: the government's failure to deal with a security crisis in the North, systemic corruption and broken promises, a weakened military and weak government institutions. In 2012, the mutineers blamed [14] the government's lack of support to the military in its fight against Tuareg rebels and Islamists. In 2020, the CNSP is denouncing[15] a failure to deal with a broader and more complex security and governance crisis which has only worsened since 2012. Both coups were unanimously condemned by the international community and accounts of the events have focused primarily on immediate and volatile macro-political implications. On the ground, however, the crisis is experienced by populations as something more tangible. Malian citizens described their experience of the crisis in terms of their unmet needs for public services and infrastructure and resultant food and water insecurity. [16] It is important to not make the same mistake twice but instead focus on addressing slow-moving crises impacting citizens' daily lives and the systemic drivers of insecurity.

However, whereas the 2012 coup came as a surprise and was purely a military initiative which resulted in violence and arrests, the CNSP's coup was predictable as it was fuelled by the popular contestation movement and did not result in violent scenes. Furthermore, the coup leaders, this time, made sure the President would dissolve the National Assembly before resigning to avoid a de facto interim presidency by the President of the National Assembly Moussa Timbiné, a member of IBK's party.[17] Most importantly, the CNSP is keen on avoiding a repeat of the 2012 mistake of a rushed transition. While it is crucial to maintain caution when dealing with a military junta, the three year transition period originally suggested

[4] https://www.bfmtv.com/international/putsch-au-mali-les-jihadistes-peuvent-ils-profiter-de-la-crise-en-cours_AN-202008190175.html
[5] https://www.publicsenat.fr/article/politique/putsch-au-mali-il-y-avait-une-usure-du-pouvoir-selon-l-ex-ambassadeur-nicolas
[6] https://www.dw.com/fr/condamnations-unanimes-du-coup-detat-au-mali/a-54619200
[7] https://www.rfi.fr/fr/afrique/20200805-mali-influent-imam-dicko-figure-controversée-m5
[8] https://theconversation.com/les-religieux-sont-ils-en-train-de-prendre-le-pouvoir-au-mali-141085
[9] https://www.youtube.com/watch?v=ooo9tQOua2E
[10] https://www.dw.com/en/was-russia-behind-the-coup-in-mali/a-

54705282
[11] https://www.ft.com/content/ed24cb54-7815-4b9f-a36b-a04232aa928e
[12] https://www.ecfr.eu/article/commentary_unchecked_escalation_why_mali_is_in_turmoil
[13] Ibid.
[14] https://www3.nd.edu/~ggoertz/sgameth/BLECK_MICHELITCH2015.pdf
[15] https://www.youtube.com/watch?v=enHCFKVkePk
[16] https://www3.nd.edu/~ggoertz/sgameth/BLECK_MICHELITCH2015.pdf
[17] https://issafrica.org/fr/iss-today/negocier-la-transition-politique-malienne

by the CNSP (equivalent to the remaining time of IBK's mandate) — instead of the one year limit requested by ECOWAS — demonstrated consideration of the magnitude of the crisis and a desire to avoiding rushing a bad transition.

ECOWAS directly imposed several economic sanctions on Mali following the coup and sent a delegation to negotiate with the junta. The initial goal of re-instigating IBK in office was quickly abandoned and instead the delegation focused on negotiating the terms of a transitional period. However, Colonel-Major Ismael Wagué, spokesman for CNSP, made clear their intention to keep the transition a sovereign matter: "any decision regarding the size of the transition, the president of the transition, the formation of a government, will take place among Malians, with the political parties, sociopolitical groups, trade unions, signatory [of the 2015 Agreement for Peace and Reconciliation], civil society."[18] I

n a more recent interview, Wagué said they were open to negotiations with ECOWAS to reach a middle-ground, but insisted that the final say belongs to the Malian people. [19] The CNSP has agreed to an 18-month transition following consultations with political and civil society groups. [20] Nevertheless, the discussions between the junta and the opposition revealed a deep division. The opposition rejected [21] the junta's proposition that the transition be led by either a military or civilian leader, leaving open the possibility that the CNSP could remain in power. Allowing coup leaders to access positions of influence in the transitional government could be considered as incentivizing their extra-constitutional actions.[22]

Whereas the military stepping-in might have been considered necessary by many locals, democratic change can only occur through civilian leadership. Ensuing a check on the military's power and influence should be of more concern to the international community and ECOWAS than further reducing the time frame of the transition period.

Whereas it is understandable that ECOWAS would impose sanctions in the wake of a coup, they should not be maintained over a long period of time to avoid inflicting a financial burden on the population which would only add to the crisis. ECOWAS and all other international partners of Mali should aim at defining clear socio-political objectives of the transition. The

only role of the international community should be to support positive transitional objectives and ensure accountability of the junta at the international level. Nonetheless, these objectives must be decided on by the main stakeholders, that is Mali's civil society, instead of being imposed by international actors through economic pressure.

Instead of interpreting the coup as a political crisis to which economic sanctions are the only answer, the focus should be on ensuring that the event transforms into an opportunity to pull Mali out of a lingering and deepening crisis. It is the opportunity to rebuild the social contract, reform the governance system, and find solutions to the spiralling security crisis. [23] Emphasis should be put on accelerating the peace process, leading institutional reforms, promoting sustainable development and state capacity.

The Security Crisis: Transcending Narrow Security Concerns

The Malian crisis is a complex multidimensional one. Broadly it can be defined as a crisis of security and governance but in more detail, it is an intricate overlap of economic, socio-political and ethnic tensions. Hence, a solution to the rampant insecurity crippling Northern and Central Mali cannot be entirely military, but instead must account for all underlying factors of instability. Following the 2012 crisis – the Tuareg rebellion followed by the coup – Mali became the scene of the 3rd most expensive peacekeeping operation in the world: the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA).

In addition, it is home to France's most expensive military operation since the Algerian War: Barkhane – preceded by operation Serval. There is also the less funded and underequipped G5 Sahel joint military force, as well as the European Union Training Mission in Mali (EUTM) which offers training support but does not take part in combat. The magnitude of military operations in Northern and Central Mali is justified by

[18] https://www.lepoint.fr/afrique/mali-ce-qu-il-faut-retenir-des-negociations-entre-la-cedeao-et-la-junte-25-08-2020-2388842_3826.php [Translated from French]
[19] https://www.youtube.com/watch?v=YiB8FDnaDZc&t=153s
[20] https://www.theguardian.com/world/2020/sep/12/malis-military-junta-agrees-to-cut-transition-period-to-18-months

[21] https://www.france24.com/en/20200913-mali-opposition-rejects-junta-proposal-on-transition-period
[22] https://thehill.com/opinion/international/516599-mali-coup-offers-lessons-in-democracy-building-but-junta-must-go
[23] https://issafrica.org/fr/iss-today/negocier-la-transition-politique-malienne

the size and significance of the security crisis. However, Virginie Baudais from the Stockholm International Peace Research Institute points out: "With MINUSMA, Barkhane, the G5 Sahel, Takuba, and every military intervention, the situation is still deteriorating since 2012.

So we can see that the military solution is not the most effective." [24] A crisis such as this one cannot be addressed through a narrow security first approach; it requires a comprehensive approach suited to the complexity of the situation. What fuels the rise of Jihadism and other non-state armed groups in the region? How do we address the roots of the Malian conflict?
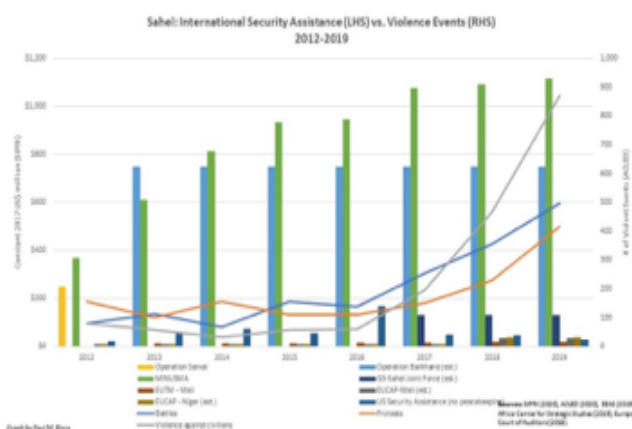
The solution to the Malian crisis must evolve beyond the short-sighted military approach that has persisted until now. If the fight against terrorism is to succeed, it must aim at sustainable peace and therefore address the problem at its root by tackling the foundations of the conflict and the factors driving rural citizens to join non-state armed groups. To understand the conflict, one must look at the underlying historical ethnic cleavage and ensuing tensions.

Mali's arbitrary borders, inherited from the colonial era, have made it difficult for the government to assert its authority everywhere, especially among Tuareg and Arab populations. This eventually led to several Tuareg rebellions in the North. The Malian state exploited interethnic tensions in order to divide northern populations. [25] Tactics included the use of electoral zoning, which favoured certain Tuareg tribes over others or the Arab community. [26] A Clingendael

Institute's report explains: "The consequences of this counter-insurgency strategy were deep animosity between northern populations, fierce resentment by communities towards the central state, and a very heterogeneous distribution of needs and demands that made inclusive peace talks and agreements far harder to reach."

Nonetheless, a Peace Agreement was reached in 2015: The Agreement for Peace and Reconciliation. But five years later, very little has been achieved. This is explained by a lack of engagement from the signatory parties. The status-quo has benefited both the now-deposed government – which wanted to avoid angering protestors opposed to the deal – and the Coordination of Azawad Movements – in addition to already having de facto autonomy in the North, some of its members hold paid positions in bodies set up by the agreement.[27] Furthermore, the Agreement has many shortcomings.

Most importantly, it has not engaged all actors contributing to instability and focuses exclusively on the Azawad (North) question. It had not foreseen security implications for the more densely populated central regions, making the Agreement less relevant today. Finally, in those five years, no effort has been made to convince southern populations opposed to the agreement – most citizens opposing it lack proper knowledge of the Agreement[28] – making the chances of ever implementing it slim. The 2015 Accord is a relic of the deposed regime and should be replaced by a new one. The Center for Strategic and International Studies suggests: "Malian stakeholders and the international community should graduate from the Accord, taking stock of what has not worked, developing an inclusive process, and demanding accountability for achieving realistic targets. Reimagining Mali's peace framework is simply a recognition that the conflict has outpaced the Accord."[29]

Fierce ethnic tensions occur among black Malians too, particularly between Peulhs and Dogons. These tensions find their origin in rivalries over access to land and resources like water. The inter-ethnic cleavage and resulting hostilities have been exploited by Jihadist groups and exacerbated by the profusion of weapons. [30] This important recruitment of Peulhs in Jihadist groups has led to the stigmatisation of the whole ethnic group which has caused Dogon 'self-

[24] https://www.aljazeera.com/news/2020/08/coup-mali-spiralling-security-crisis-200830123003087.html
[25] https://www.clingendael.org/publication/roots-malis-conflict-moving-beyond-2012-crisis
[26] Ibid.
[27] https://www.crisisgroup.org/fr/africa/sahel/mali/laccord-dalger-cinq-

ans-apres-un-calme-precaire-dont-il-ne-faut-pas-se-satisfaire
[28] Ibid.
[29] https://www.csis.org/analysis/why-mali-needs-new-peace-deal
[30] https://africacenter.org/spotlight/understanding-fulani-perspectives-sahel-crisis/

defence' militias to attack Peulhs arbitrarily. The massacres of Peulhs have, in turn, spurred more recruitment for Jihadist groups. Neither community trusts the Malian state or foreign military forces for their safety and have turned to non-state actors for safety and economic reasons. However, tensions have quickly escalated and resulted in unprecedented inter-ethnic violence.[31]

These ethnic tensions are at the core of the security crisis and will not disappear with a military victory over Jihadist groups. The situation has unveiled a governance crisis fuelling the rise of non-state actors emerging as substitutes to the lacking institutions of governance. It is primordial to rethink the security approach, primarily to mitigate civilian casualties caused by a predominantly military conception of security, and to offer a substantial solution to the crisis. In the words of Drissa Traore, national coordinator of the Malian Association for Human Rights: "At present, security responses are prioritised without consulting the very communities that are supposed to be protected by the security forces.

This may contribute to human rights violations." [32] Populations that are the primary victims of the conflict should be the primary beneficiaries of counter-terrorism efforts. But they are not. They are victims of a conflict in which they are either exploited by one side or alienated by those responsible for their safety. A MINUSMA human rights report found that, between April 1st and June 30th 2020, Jihadist groups in Mali committed 123 incidents of human rights violations, ethnic militias committed 232, and Malian security forces perpetrated 126. [33] The report also states that some of the Malian security forces' operations were akin to reprisals against civil populations.[34]

The Malian state needs to regain legitimacy and the trust of its citizens to curb the rise of non-state actors. The new government will need to recognise what has been overlooked until now: that state authority primarily rests on public services and civic dialogue. Establishing a functioning justice system which creates more accountability for those breaking the law, including military forces, should be a priority. By restoring justice, recruiting arguments for non-state

armed groups are weakened. Furthermore, valuable local expertise should be employed in leading a successful security sector reform (SSR). Niagalé Bagayoko, president of the Africa Security Sector Network, points out: "There is today a lot of work being carried out by the actors closest to the people and to communities. This expertise is not sufficiently mobilized. Civil society is eager to engage in a constructive and critical dialogue with governments and to offer our expertise to tackle the root causes of the conflict together." [35] 22 organisations from the Sahel and West Africa, and 14 international NGOs, announced the launch of a 'People's Coalition for the Sahel.' [36] The aim of the project is "to elevate the voices and expertise of people and civil society organisations (CSOs) as constructive partners [to] enable a more effective response to the human security challenges."[37] Such projects must be put at the centre of the SSR in order to emphasise a human security approach.

Moreover, priority must be given to development aims. Regarding the G5 Sahel, the security angle overtook the organisation's development agenda, which "threatens to undermine the prospects for political stability, and to further fuel regional insecurity in the long-run." [38] External actors should put more emphasis on sustainable state-building strategies. The focus of state-building strategies, however, has been on controlling borders and effectiveness and legitimacy of the legal system, whereas research shows that it is the need for revenues to pay for such public services that requires more attention. [39] Fiscal capacity, as the ability to generate and manage government revenue domestically, is the key to sustainable state-building and development.

Finally, improving the security approach unavoidably depends on addressing their role of foreign military forces. France is Mali's main partner but is facing growing resentment [40] from the population. The purpose of the French intervention was to help the Malian state restore its sovereignty in the north to prevent the takeover of Bamako by Islamists and the emergence of a terrorist state.[41] The achievement of this short-term objective was made possible in part

[31] https://www.crisisgroup.org/africa/sahel/mali/centre-du-mali-enrayer-le-nettoyage-ethnique

[32] https://reliefweb.int/report/burkina-faso/sahel-local-civil-society-calls-change-approach-response-crisis

[33] https://minusma.unmissions.org/sites/default/files/note_trimestrielle_ten dances_des_violations_et_abus_de_dh_avril-juin_2020_final_version.pdf

[34] Ibid.

[35] https://reliefweb.int/report/burkina-faso/sahel-local-civil-society-calls-change-approach-response-crisis

[36] Ibid.

[37] Ibid.

[38] https://www.act.nato.int/images/stories/media/doclibrary/open201902-understanding-g5-sahel.pdf

[39] https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/603506/EX PO_BRI(2020)603506_EN.pdf

[40] https://sahelien.com/en/mali-barkhane-the-french-force-between-the-hammer-and-the-anvil/

[41] http://www.operationspaix.net/DATA/DOCUMENT/7911~v~The_regional _impact_of_the_armed_conflict_and_French_intervention_in_Mali.pdf

due to France's cooperation with the MNLA – an organization which contests the Malian state's sovereignty. Although deemed pragmatic from a military perspective, this ambiguous cooperation had far-reaching implications.

As France seemingly emerged as a support of Tuareg separatists, rival populations were prompted to join Islamist groups for support. Operation Barkhane embodies the same mistake of short-sightedness. Barkhane has an anti-terrorist mandate with an exclusive focus on combatting Jihadists rather than protecting civilians, which contributes to feeding into the spiral of radicalization as creating more insecurity for civilians will eventually lead to a strengthening of non-state actors. The three objectives of the operation stated on the French Ministry of Armed Forces' website [42] are: fight terrorism, support local security forces, act in favour of local populations. It goes without saying that the first objective has not been met. Nor has the second objective; local security forces are still highly dependent on foreign support. As for the third objective, it is paradoxical in the sense that the French army is fighting terrorists in the region, but groups defined as terrorists have replaced the institutions of governance for many people in Northern and Central Mali. This blurs the line between civilians and terrorists.

The ousting of IBK, to many Malians, must naturally follow with the ousting of the French military. However, Mali cannot afford the departure of French troops as it would likely open a power vacuum, and the CNSP is aware of this. In fact, France has confirmed its intention to maintain its operation. Nonetheless, Barkhane's strategy must take a drastic turn to regain legitimacy and make substantial progress. The only way forward for France is to seize the opportunity of the transition, establish a new basis of cooperation with the new government and local civil society leaders, and consequently transform its approach to counterterrorism.

Key Insights and Conclusions:

Mali's coup is not a political crisis in itself, as it has been painted. It is the culminating point of a political crisis that has been ongoing for much longer. It offers the opportunity for a constructive transition that Mali cannot afford to waste by rushing the process. If the goal is to promote peace and stability, the international community should not push for a rapid transition. Mali's complex multidimensional crisis requires a complex response that transcends narrow security concerns and engages all relevant stakeholders. A new, more inclusive and relevant peace agreement should be a priority of the transition. At the same time, promoting peace requires a new counter-terrorism approach that is more civilian focused and does not exacerbate the insecurity situation. A successful counter-terrorism strategy is one that cuts the enrolment of civilians in violent armed groups. To come up with the best possible solutions, civil society must be engaged in the process of redefining the security approach of national and foreign security forces. Finally, political stability relies on state-building and sustainable development, which cannot be achieved without addressing fiscal capacity.

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[42] https://www.defense.gouv.fr/operations/barkhane/dossier-de-reference/operation-barkhane

BIC Policy Recommendations:

To the Malian Authorities:

➢ Work on a new Peace Agreement that builds upon the 2015 Agreement for Peace and Reconciliation. This should be achieved through a more inclusive national conversation that better engages all parties concerned, while retaining certain basic objectives, such as: decentralization, DDR, SSR, justice system reform, and constitutional reforms. The new agreement should include targeted electoral reforms that will allow for a renewal of the political sphere.

➢ Strengthen the independence of the judicial system from the executive branch by abolishing the President's chairmanship of the Superior Judicial Council and the Ministry of Justice and Human Rights. In tandem, improve the technical capacity of the judiciary through increased funding and ensure transparency and oversight including by CSOs.

➢ Engage CSOs in SSR to promote a human security approach and create a framework of cooperation between civil society and operating military forces. This can be done by establishing a partnership between the 'People's coalition' and the International Coalition for the Sahel that values each party's expertise equally.

To the International Community (ECOWAS, the UN, the EU, France):

➢ Recognise the sovereignty of the Malian people in designing the transition and therefore facilitate an inclusive and grassroots process by providing a platform for CSOs. Consider lifting economic sanctions to aid this Malian-led transition.

➢ Refocus on the 'development' component of the 'security-development' nexus and put civilian protection at the center of the security approach. This will include the application of mutual accountability between the G5 Sahel and its partners (notably the Sahel Alliance). This will improve civilian protections and, through funding pressure, support development goals.

➢ Consider the inclusion of partnerships for improved fiscal capacity and the establishment of a functioning tax system in the EU Strategy for Africa.

➢ Redefine Barkhane's counter-terrorism strategy towards a civilian-centered approach by working closely with local CSOs. This should also include improvements to transparency and trust by creating a civilian casualty tracking mechanism and victim's assistance mechanisms through investigations

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