

DDR and SSR Challenges in Mali

Marina Caparini



NUPI Working Paper 853

Publisher: Norwegian Institute of International Affairs
Copyright: © Norwegian Institute of International Affairs 2015

Any views expressed in this publication are those of the author. They should not be interpreted as reflecting the views of the Norwegian Institute of International Affairs. The text may not be printed in part or in full without the permission of the author.

Visiting address: C.J. Hambros plass 2d
Address: P.O. Box 8159 Dep.
NO-0033 Oslo, Norway
Internet: www.nupi.no
E-mail: info@nupi.no
Fax: [+ 47] 22 99 40 50
Tel: [+ 47] 22 99 40 00

DDR and SSR Challenges in Mali

Marina Caparini

Published by Norwegian Institute of International Affairs

Contents

The 2012-13 crisis and the search for a peace agreement	5
Preparing for disarmament, demobilisation and reintegration (DDR) .	10
Security sector reform (SSR)	15
Challenges to effective SSR.....	25
Conclusion.....	29

Reforming and building the capacities of Mali's security and defence forces to provide security and maintain law and order is an essential element in re-establishing and consolidating peace throughout the country. However, such reform is linked to the peace process and specifically a peace agreement that will credibly meet the requirements and aspirations of the northern population. In light of repeated failures of past peace agreements to deliver, another agreement is now proving difficult to achieve. This paper examines challenges to arriving at such a peace agreement, and to the reform and governance of Mali's armed and security forces. It suggests that if, or when, an agreement is reached, reform of the security sector must confront serious problems of corruption, politicisation, internal rivalries and divisions, lack of professionalism, depletion of equipment and resources, and inadequate civilian oversight and control. These institutional reforms and transformations in organizational culture must be undertaken in an extremely complex and shifting environment of overlapping conflicts and tensions at the regional (northern), national, and international levels, in which international state and non-state actors are engaged.

The 2012-13 crisis and the search for a peace agreement

In January 2012 a Tuareg rebel group called the *Mouvement nationale pour la libération de l'Azawad* (MNLA) attacked the towns of Menaka, Tessalit and Aguel'hoc, setting off the fourth rebellion by nomadic Tuareg (or '*Kel Tamashek*') in northern Mali since the country gained its independence from France in 1960. As with previous rebellions, that of 2012 was a product of built up dissatisfaction and frustration with the deprivation and marginalization of the north, and unfulfilled promises made by Bamako to resolve earlier rebellions. But what distinguished the 2012 rebellion from its predecessors was the more radicalized and well-armed cohort of rebels, many returning from Libya where they had served in Gaddafi's army before the civil war which led to collapse of the Gaddafi regime. Efforts to counter the rebellion in the north by the ill-equipped Malian armed forces sparked a military coup d'état in the south that ousted President Adama Toumani Touré (popularly referred to as ATT). This was followed by the takeover of the majority of Mali's northern territory by a loose coalition of jihadist groups linked to Al-Qaeda and Tuareg rebels, and the imposition of Sharia (Islamic law) across the region. An apparent move by Islamist groups Ansar Dine and the *Mouvement pour l'unicité et le Jihad en Afrique de l'Ouest* (MUJAO) towards Bamako triggered the French-led military intervention 'Serval', in which French and Chadian troops ousted Islamist groups from the main towns in the north and restored Mali's formal territorial integrity. A preliminary ceasefire agreement signed in Ougadougou in June 2013 with rebel groups paved the way to democratic elections, which brought a new president, Ibrahim Boubacar Keïta (IBK) and legislature into office. Further international support and assistance arrived in the establishment of an AU mission, re-hatted as the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), alongside other capacity-building programmes including an EU training mission, bilateral security assistance from key partners such as the US, and the French counterterrorism campaign 'Barkane', targeting cross-border jihadist movements in five countries of the Sahel including Mali.

However several rounds of peace talks between the government and key rebel groups became deadlocked not only by fundamental differences among the parties regarding creation of a Malian federation, but by ambiguities and rivalry between various diplomatic initiatives led by MINUSMA, ECOWAS and the AU, and bilaterally by Algeria, the traditional mediator between Bamako and the Tuareg, Burkina Faso, the MNLA's preferred choice as mediator, and Morocco. Despite these challenges, Algeria, has remained the key facilitator of the negotiations,

even though it holds a significant bias against the creation of an independent Azawad state due to the potential repercussions on the aspirations of its own Tuareg population.¹ An ill-advised visit in May 2014 of Prime Minister Moussa Mara to the northern town of Kidal, the bastion of Tuareg rebellion, resulted in an uprising and attacks by the MNLA and their subsequent routing of the Malian army from the city. The clashes in Kidal and the defeat of the Malian army had the effect of shifting the balance of power and underscoring the need for Bamako to seek a political solution, thus revitalizing negotiations.²

However, peace talks between the government in Bamako and the northern rebel groups have faltered. The most recent round of talks in Algiers resulted in a preliminary Peace and Reconciliation Agreement in early March. The proposed agreement would recognize Azawad as a cultural space, would introduce devolution of powers, and the transfer of 30 % of government revenues to local authorities. Although initialled by Mali's governmental representatives and the pro-Bamako rebel groups represented by the 'Platform'³, the agreement was rejected by the 'Coordination' or CMA groups⁴ after consulting with their supporters, on the grounds that it did not go far enough in granting autonomy to the Azawad region. Despite successive initiatives by international actors including Algeria, individual members of the Permanent Five of the Security Council and the Security Council collectively to pressure the CMA to accept the agreement, the CMA has refused to endorse the agreement of early March. For its part, the CMA reproached Algeria for locking in the text and for not allowing more direct discussion between the CMA and GoM; expecting that an agreement could be pushed through and agreed by all sides, Algerian moderators had dominated the talks and had scheduled only a few face-to-face meetings between the GoM and Tuareg rebel groups, which had proved insuffi-

¹ For more on Algeria's role, see Andy Morgan, 'Algeria plays a master's game in northern Mali', 19 July 2012, <http://www.andymorganwrites.com/algeria-plays-a-masters-game-in-northern-mali/>

² ICG, 'Mali: Last Chance in Algiers', Crisis Group Briefing No. 104, 18 November 2014, p. 3.

³ The *Plateforme des mouvements d'autodéfense* (Platform), which has come out in favour of national unity, is comprised of five large movements representing 32 factions in the north. The movements include: *le Groupe Auto-Défense Touareg*, *Imaghad et Alliés* (GATIA), *Mouvement Arabe de l'Azawad* (MAA), *la Convention Nationale des Forces Patriotiques de Résistance* (CNFPR), *la Coalition pour le Peuple de l'Azawad* (CPA- loyaliste) et *le Mouvement Populaire pour le Salut de l'Azawad* (MPSA). See Oumar Konate, 'Mali: plateforme des mouvements d'autodéfense: "Il n'est pas question pour nous de compromettre l'unité nationale"', maliactu.net, 15 décembre 2014.

⁴ The *Coordination des mouvements de l'Azawad* (CMA) seeks autonomy for the north and is comprised of the following rebel groups: *Mouvement national pour la libération de l'Azawad* (MNLA), *Haut conseil pour l'unité de l'Azawad* (HCUA), a dissident faction of the *Mouvement arabe de l'Azawad* (MAA), and the *Coalition du peuple pour l'Azawad* (CPA).

cient to break the deadlock and forge an agreement between the government and rebels.⁵ An initiative by the Algerian government to convince the CMA to sign the Algiers preliminary agreement foundered on Algeria's unwillingness to meet the CMA's demand to include an amendment to the agreement.⁶ The main points that the CMA wants added to the accord include the official recognition of Azawad as a 'geographical, political and juridical' entity; creation of an inter-regional assembly that encompasses the Azawad zone; and an 80% quota in the security forces [in the region of Azawad] for "citizens" of Azawad'.⁷

Moreover the peace negotiations, while enlarged over time to include more armed groups, did not include those armed groups with the strongest fighting capacities, which are also those least willing to compromise by accepting the principles of respect for Mali's territorial integrity, national unity and the secular nature of the Malian state. The jihadi and extremist armed groups excluded from the peace process include al-Qaeda in the Islamic Maghreb (AQIM), the Movement for Unity and Jihad in West Africa (MUJAO) and Ansar ud-Dine.⁸

Beyond the failure of the latest round of negotiation, the Malian state control of the north is nominal. Much of Mali's territory north of the river Niger, and large parts of the districts of Kidal and Timbuktu today are not under de facto government control, as armed movements and jihadi groups are regaining control over the area. Triggered by the visit of Prime Minister Moussa Mara to Kidal, armed clashes broke out 16-21 May 2014 between the MNLA supported by other groups and the Malian army, in violation of the ceasefire. The Malian armed forces retreated from Kidal and positions in the north. Another ceasefire, resumption of the peace negotiations set out in the Ougadougou accord, and adoption of a roadmap for further negotiations with the two groups of armed actors, the Platform and the Coordination group then followed, but with a hardening of position of the armed groups in favour of autonomy of the three northern regions of Mali. The security situation in the north has deteriorated since the May conflict, and inter-factional clashes have also occurred increasingly, with violations of ceasefires agreed in Ougadougou, Kidal and Algiers as armed groups seek to expand their zone of influence and strengthen their positions in future rounds of negotiations. The result is a worsening humanitarian and human rights situation in the north, due to forced displacement

⁵ David Lewis and Emma Farge, 'Hardline Mali rebel demands stall hopes for peace', Reuters, 29 March 2015.

⁶ 'Mali rebels meet in Algiers to discuss rejected peace deal', Reuters, 2 April 2015.

⁷ 'La rebellion exclut de parapher l'accord de paix "en l'état" malgré les pressions internationales', *L'Orient – Le Jour*, 12 April 2015, <http://malijet.com/actualite/dans-les-regions-du-mali/rebellion-au-nord-du-mali/127210-la-rebellion-exclut-de-parapher-l'accord-de-paix-en-l-etat-malgr.html>, accessed 12 April 2015. Translation by author.

⁸ Morten Boas, 'The Algiers process – a step towards lasting peace in Mali?', The Broker online, 20 April 2015.

and the withdrawal of civilian state personnel from the north since the May events in Kidal, affecting delivery of essential public services such as justice. The withdrawal of state prosecutors and judges from the north, for example, has resulted in widespread impunity for crimes. Continuing impunity can serve as a driver of retaliatory attacks.⁹ Asymmetric attacks against UN peacekeepers and humanitarian workers occur frequently and with lethal consequences, affecting delivery of humanitarian assistance and protection of civilians.¹⁰ Since its establishment in April 2013 MINUSMA has suffered 46 casualties,¹¹ making it the UN's deadliest peacekeeping mission. Furthermore, the March bombing by Islamists of a restaurant/bar in Bamako popular with expats threatens to mark the spread of violence to the south.

Beyond these challenges posed by the deteriorating security situation and problems moving the peace process forward, there is growing dissatisfaction in Mali with the leadership of President Ibrahim Bou-bacar Keita (IBK). A national public opinion poll,¹² conducted two months after IBK took power in 2013, found that 79% of Malians overall (68% in Bamako) declared themselves satisfied with IBK's leadership and 86% had confidence in him to resolve the crisis in the north.¹³ By early 2015, however, 53.7% of Bamako residents were dissatisfied with his leadership of the country, even if 60% had a positive image of him.¹⁴ Another poll demonstrated the drop in confidence in IBK in northern Mali. Compared to his immediate post-election results in which a strong majority of the northern population had confidence in him, by early 2015, more than 34% of people surveyed in northern Mali lacked confidence in IBK.¹⁵ This is linked to the resumption of violence, attacks, criminality, the continuing absence of the Malian state in the north and the inability of the authorities to find a solution to these problems. **According to one Bamakois, the public has waited since IBK's election for conditions in their daily lives to start improving. This has not happened, as all resources are currently focused on establishing security in the north.** Moreover, while basing his campaign on

⁹ Suliman Baldo, Independent Expert on the situation of human rights in Mali, 50th Meeting, 28th Regular Session of the Human Rights Council, 25 March 2015.

¹⁰ Peter Dorrie, 'The World's Deadliest Peacekeeping Mission', War is Boring, 15 January 2015, <https://medium.com/war-is-boring/the-worlds-deadliest-peacekeeping-mission-83459e5d5acf>, accessed 31 March 2015.

¹¹ MINUSMA Facts and Figures, <http://www.un.org/en/peacekeeping/missions/minusma/facts.shtml>, accessed 31 March 2015.

¹² The poll excluded Kidal due to security conditions at the time.

¹³ 'Selon un nouveau sondage du statisticien Sidiki Guindo: 86% des Maliens ont encore confiance en IBK', Journaldupeuple.com, 22 Novembre 2013.

¹⁴ 'Sondage d'opinion sur la gestion du pays: 53,7% ne sont pas plus satisfaits de la gestion du président', Mali 24 Info, 17 février 2015.

¹⁵ Friedrich-Ebert Stiftung, Mali, *Mali-Mètre: Enquête d'opinion: 'Que pensent les Maliens?'* Numéro Spécial pour Gao, Kidal, Ménaka, janvier/février 2015, p. 16.

the honour of Mali and declaring himself against corruption during his electoral campaign, the President's administration subsequently has been embroiled in corruption scandals, suggesting a continuation of business as usual rather than fresh start in Malian politics. According to another Malian observer, many Malians believe that the current government has failed to articulate a vision for the country. As the optimism of the early post-election period has been chipped away, it becomes increasingly unlikely that IBK will be able to easily sell his electorate on significant concessions that may be necessary to arrive at a peace agreement.

Preparing for disarmament, demobilisation and reintegration (DDR)

A peace agreement is a necessary first step to further reforms and development initiatives in Mali. Once agreed and formally endorsed by the parties, planning and implementation of DDR, SSR, reconciliation and other elements of building a lasting peace can be undertaken. This section considers the requirements and challenges of implementing DDR.

The downsizing or disbanding of armed forces and the reinsertion of former combatants into civilian life is part of the wider transition from conflict to peace. Disarmament, demobilization and reintegration (DDR)¹⁶ is relevant to both immediate stabilization and longer-term reconstruction and development of a post-conflict society. Consequently, according to the United Nations, 'DDR must be integrated into the entire peace process from the peace negotiations through peacekeeping and follow-on peacebuilding activities.'¹⁷ Furthermore, according to OECD DAC, preparations for demobilization programmes including arrangements to fund them should begin even before a peace agreement has been reached: 'the knowledge that programmes have been put in place to assist demobilised combatants may ...[help] to bring about the demobilisation agreement itself.'¹⁸

DDR has been a key element of successive peace agreements and efforts to resolve the periodic rebellions in northern Mali. However these past efforts have experienced numerous problems, including long delays before implementation of reinsertion aspects of DDR programmes

¹⁶ MINUSMA's website defines DDR in the following terms: 'Disarmament concerns the collection, documentation, control and disposal of small arms, ammunition, explosives and light and heavy weapons, from all combatants and often from the civilian population.' Demobilization is 'the formal and controlled discharge of active combatants from armed forces and groups, including a phase of "reinsertion" which provides short-term assistance to ex-combatants.' Reintegration 'is the process by which ex-combatants acquire civilian status and gain sustainable employment and income. It is a political, social and economic process with an open time frame, primarily taking place in communities at the local level.' See 'DDR', MINUSMA website, accessed 03 April 2015.

¹⁷ 'Disarmament, Demobilization and Reintegration (DDR)', MINUSMA website, accessed 03 April 2015.

¹⁸ OECD, *The DAC Guidelines: Helping Prevent Violent Conflict*, Part I (Paris: OECD, 2001), p. 137.

owing to funding gaps,¹⁹ lack of consultation of local communities where reinsertion was to take place, clientelism and poor management of reinsertion programmes, and lack of oversight and accountability mechanisms for the programmes.²⁰ Problems also attended efforts of previous DDR programmes to integrate former combatants into Mali's security and defence forces. Members of the armed forces were dissatisfied in past efforts to integrate former combatants, who frequently deserted.²¹ According to some observers, Bamako's use of DDR programmes as incentives to rebel groups to agree to a peace agreement has, in the persistently challenging economic context of northern Mali, had the perverse effect of encouraging Tuareg civilians to join rebel militias in order to benefit from anticipated post-conflict DDR programmes.²²

Following the rebellion of 2012, DDR was addressed from the earliest efforts in conflict management. According to the Ouagadougou Accord of June 2012, the interim Malian government and two signatory Tuareg armed groups²³ agreed to a ceasefire and that negotiations for a comprehensive peace agreement would start 60 days after a newly elected government took office. DDR was also part of the Accord, the first step of which would be the cantonment of the signatory armed groups. With the declaration of the ceasefire, the signatory armed groups agree to proceed with the cantonment of their forces under supervision of and with support from MISMA/MINUSMA, although disarmament and demobilization would only be completed after the signing of a comprehensive peace agreement.²⁴ The agreement to a cantonment process within the Ougadougou Accord was a compromise between the Malian government, which originally sought to have the

¹⁹ For example, the first programme to reintegrate former combatants into Malian society that was linked to the 1992 National Pact did not receive full funding until three years following the agreement. See Baz Lecocq, *Disputed Desert: Decolonisation, Competing Nationalisms and Tuareg Rebellions in Northern Mali* (Brill, 2010), pp. 272-273.

²⁰ 'Programme et perspectives DDR au Mali', Presentation to the seminar Désarmement, Démobilisation et Réintégration des Ex-combattants: expérience de la Côte d'Ivoire: bilan, enjeux et perspectives, organised by the DDR Authority (ADDR), UN Mission in Cote d'Ivoire and UNDP, Abidjan and Boake, 4-5 November 2014. <http://www.addr.ci/download/DDR%20PRESENTATION%20A%20ABIDJAN%20EN%20NOVEMBRE%20%202014.pdf>, accessed 4 April 2015.

²¹ International Crisis Group, 'Mali: Last Chance in Algiers', Africa Briefing No. 104, 18 November 2014, pp. 7-8.

²² 'Despite low mass killing risks, likelihood of new conflict in Mali increase as peace talks falter', Early Warning Project, 2 April 2015. <http://www.earlywarningproject.com/2015/04/02/despite-low-mass-killing-risks-likelihood-of-new-conflict-in-mali-increase-as-peace-talks-falter>, accessed 3 April 2015.

²³ The Mouvement nationale de libération de l'Azawad (MNLA) and the Haut Conseil pour l'unité de l'Azawad (HCUA).

²⁴ See Articles 6, 11, 21, *Accord Préliminaire à l'Élection Présidentielle et aux Pourparlers Inclusifs de Paix au Mali*, signed in Ouagadougou, 18 June 2013.

rebel groups disarm before entering into peace talks, and the armed groups who were wary of disarming and weakening their bargaining position in subsequent peace talks.²⁵

A 'Joint Technical Commission on Security' (Commission Technique Mixte de la Sécurité) under the supervision of the MINUSMA Force Commander was established to oversee all technical aspects of the DDR process, and involves both national and international stakeholders. In February 2014, armed groups agreed on the criteria for eligibility for cantonment.²⁶ In this pre-cantonment phase, potential cantonment sites were being identified, with each of the armed groups designating three priority sites. It fell to the government in Bamako to raise the financing for the eventual cantonment sites. These early preparations were brought to a halt, however, following the clashes between armed groups and the military that resulted in May 2014 after the arrival of the prime minister in Kidal. The DDR process subsequently collapsed, as armed groups refused to resume cantonment until a final peace agreement is signed.²⁷

Cantonment, or encampment, refers to the gathering of former combatants in special camps where they can be registered and turn in their weapons and uniforms before being discharged or demobilized from their units. This stage is aimed at building confidence between the parties to the conflict that each side will abide by the terms of the peace agreement. The cantonment process also provides essential data on the numbers, skill profiles and career aspirations of former combatants to inform development of programmes for either their recruitment into an armed force or reintegration into the civilian economy.²⁸ Cantonment is best undertaken as a step leading to an effective DDR process before a peace agreement takes effect. Until a peace agreement is signed, many armed groups and militias and self-defense groups in the north are likely to continue seeking young recruits, with the promise of eventual inclusion in the DDR process and therefore access to the resources and training it will confer on combatants as they are demobilized. However DDR resources are finite, and the more people are signed up as members of armed groups to undergo DDR, the less effective the existing funds will be.²⁹

²⁵ Ibrahim Maiga, 'Mali: Is Cantonment the Key to Success in Mali's Negotiations?' Institute for Security Studies, 21 July 2014.

²⁶ 'Processus de DDR: Des pistes prometteuses', *Malijet*, 17 February 2014, <http://malijet.com/actualite/dans-les-regions-du-mali/rebellion-au-nord-du-mali/93662-processus-de-ddr-des-pistes-prometteuses.html>, accessed 23 February 2015.

²⁷ Confidential interview, Bamako, 25 February 2015.

²⁸ See OECD, *Helping Prevent Violent Conflict*, p. 138.

²⁹ Confidential interview, Bamako, 25 February 2015.

If and when a peace agreement is endorsed by all parties, another challenge will be in constituting the national DDR commission. This body cannot only reflect decisions made by Bamako alone, but needs to be inclusive of all parties. Further, identifying the appropriate individual to head the commission is also important; ideally that person should be more a technical expert than a political appointee, or s/he will likely have difficulties executing the commission's mandate. The DDR process will need to take into account combatants, militias, auto-defense groups, as well as people with special needs, women, and those requiring psycho-social support. This too will have financial implications.

A further challenge will be posed by the determination of who among the various armed groups is to be demobilized and reinserted into the civilian economy, and who will be integrated into the Malian security forces. While the Malian government was reported to have been opposed to further reintegration of ex-combatants during earlier rounds of negotiations, this changed following the events of May and the preference for many groups to have their members inside the security forces. Previous reintegration initiatives also addressed only Touareg rebels and efforts were focused only on the north. A challenge for the DDR process once a peace agreement is reached, then, will be the criteria for being part of the reintegration process.³⁰

A critical component of a reintegration process will be human rights vetting of potential candidates for reintegration. Vetting is a formal procedure to identify individuals responsible for abuses; in the context of DDR, vetting would be used to identify individuals who are ineligible for recruitment in the state's armed and security forces on the grounds of their past behaviour of abuse. According to a recent UN report, over the course of 2014 both the opposition armed movements and Malian armed forces have committed human rights violations. Armed groups in Mali's north have been involved in continuing violations of the right to life, cruel, inhuman or degrading treatment, and have carried out abductions, unlawful detention, recruitment and use of children in armed conflict, asymmetrical attacks and looting.³¹ (Members of the Malian army were also responsible for human rights violations involving the right to life and physical integrity, and cruel, inhuman or degrading treatment. The Malian military were implicated in a wave of rapes against minors in the wake of the Kidal clashes in May.³²) In late 2014 human rights groups criticized the draft peace agreement for omitting to mention vetting in the context of DDR, and demanded that an independent vetting commission be established to screen potential

³⁰ Confidential interview, Bamako, 25 February 2015.

³¹ Human Rights Council, 'Report of the Independent Expert on the situation of human rights in Mali', A/HRC/28/83, 9 January 2015, paras. 64-76.

³² Human Rights Council, 'Report of the Independent Expert on the situation of human rights in Mali', A/HRC/28/83, 9 January 2015, paras. 54-63.

new members of the security forces and remove existing members who have been involved in serious human rights violations during the conflict. According to discussions with relevant authorities in Bamako subsequently, members of armed groups who are cantoned as part of the DDR process, in particular those considered for integration into the Malian armed forces or security services, would likely be subject to a vetting process coordinated by the Human Rights section of MINUSMA and the OHCHR.³³

Other observers from Malian civil society maintain that both the armed forces and Malian public opinion continue to resist the idea of reintegration of rebel forces into Malian army and security institutions, as several past efforts of reintegration have failed. This is backed up by public opinion polls which saw 74.6% of respondents across Mali in 2014 agree that forthcoming peace negotiations needed to address the disarmament of armed rebel groups, while only 10% considered integration of rebels into the armed forces to be a priority, and even fewer, 5%, considered their integration into the public service an issue to be raised in negotiations.³⁴ Preferential practices in the past efforts often awarded good posts with high salaries to reintegrated members of armed groups even when these lacked the appropriate qualifications or educational background, fostering resentment among other members of the military. Past experience also saw many reintegrated during the 2002 crisis, around one thousand reintegrated members of former rebel groups left the Malian army, taking their weapons with them, with many rejoining the rebellion.³⁵

Mali's three previous experiences with DDR have provided valuable insights on possible pitfalls for future DDR. These include problems with the mismanagement of funds, clientelism in the choosing of beneficiaries, and lack of sufficient follow-up and reinforcement of capacities of those who had gone through the DDR process. The next DDR process will need to address these, through adequate financial monitoring, clear eligibility criteria for participants in the DDR process as well as clear criteria for those reintegrated combatants who are sent to military academy or officer training, and adequate follow-up arrangements. The next DDR process will also need to have procedures for leaders of armed groups who are not eligible for DDR inclusion (because of human rights violations, for example), jihadists (at the level of the 'foot soldier') and repatriation of foreign combatants.

³³ 'Programme et perspectives DDR au Mali', November 2014; also confidential interview, Bamako, 25 February 2015.

³⁴ Mali-Mètre, 2014, p. 85.

³⁵ Confidential interview, Bamako, 26 February 2015.

Security sector reform (SSR)

While planning for certain aspects of DDR – namely demobilization and disarmament – ideally begins in advance of a peace accord among the parties to a conflict for implementation once agreement is achieved, other elements such as reintegration into state security institutions require a longer-term perspective and segue into planning for SSR. SSR affects core state institutions in the justice and security spheres as well as arrangements for their governance and oversight, and may take years or decades to fully implement. The often profound implications of SSR for delivery of core services by the modern state require, not least, a broader and deeper consultative process. In the case of Mali, SSR should also be built on a thorough understanding of precisely how past practices created the conditions that led to military coup, the routing of the Malian security and defence forces that almost resulted in the loss of the majority of its territory to jihadist groups. This section sets out potential priority issues for SSR, based on recent events, potential constraints and opportunities for SSR, and the preliminary steps being taken to initiate an SSR process in Mali.

The need for comprehensive security sector reform in Mali is suggested most vividly by the military coup and its aftermath, which reflected long-standing dysfunctions within Mali's armed forces.³⁶ On 21 March 2012 a military protest against the government for sending ill-equipped soldiers to quell the new northern rebellion was initiated by soldiers based at Kati camp near Bamako and led by Captain Amadou Sanogo. This rapidly transformed into a coup d'état on 22 March 2012, and the establishment of the military junta by the 'green berets' (soldiers loyal to Sanogo). An attempted 'counter-coup' on 30 April 2012 was initiated by the 'red berets' -- the 33rd regiment of paratroopers who also functioned as the Presidential Guard, loyal to the overthrown president ATT, who was himself a former paratrooper commander. Retaliatory actions taken by green berets against the red berets included detentions and disappearances, the ransacking of their camp and denial of salaries and provisions for the red berets and their families.³⁷ Officially disbanded, the majority of the 1200 red beret airborne units resisted an attempt by the government of interim President Diacounda Traoré³⁸ to reassign them to different units for deployment to the north

³⁶ Morten Boas and Liv Elin Torheim, 'Mali unmasked: resistance, collusion, collaboration', NOREF Report, March 2013, p. 3.

³⁷ Baba Ahmed, 'Mali: Une armée toujours minée par les divisions', *Jeune Afrique*, 27 September 2012.

³⁸ On 12 April 2012 the junta agreed to a return to civilian rule and Diacounda Traoré was brought in as interim President. In May soldiers responsible for guarding him

and remained cantoned at their regimental headquarters in Bamako. These were again attacked in their camp by other Malian security forces in early 2013.³⁹ In late 2013, based on testimonies of members of Sanogo's military junta who were being prosecuted, a mass grave was discovered containing the bodies of 21 red berets who, loyal to ATT and linked to the counter-coup, had been executed by Sanogo's associates.⁴⁰ The internal fractures and fratricidal dynamics extended even further, as revealed following an attempted mutiny by a group of soldiers who originally supported Sanogo's military junta, which similarly resulted in disappearances of several implicated green berets and the subsequent discovery months later that they had been executed.⁴¹

As indicated by the 2012 coup and the political factions within the armed forces, creating non-partisan military and security institutions that uphold the constitutional order will be a necessary element of SSR in Mali. The military needs to be strengthened within the framework of a republican army (*armée républicaine*), that is, as a professional, disciplined army who serve the nation and are subject to democratic civilian authority and oversight. The chain of command of the Malian armed forces was described by several respondents as being particularly dysfunctional due to lack of discipline and of respect for hierarchical authority. As noted above, recruitment and promotion practices were perceived to be rife with nepotism and favouritism, and likely contributed to the sense of a lack of professionalism within the armed forces. One recently retired Malian army officer has further attributed erosion of discipline to the introduction of trade unions into the armed forces.⁴²

After Mali's revolution in 1991 and the transition from dictatorship to multiparty system, the army was intended to be a professional one, serving the nation while operating under democratic civilian control. Yet, although a code of conduct produced in 1997 speaks to several ideals of military professionalism, it says little about democratic civilian control, transparency and accountability.⁴³ As noted by a Malian

allowed him to be badly beaten by protesters supporting the military junta. 'Malian army lets angry demonstrators beat up President', *London Evening Post*, 22 May 2012.

³⁹ 'Mali: Au moins deux morts dans des combats au camp militaire de Djicoroni, à Bamako', *Jeune Afrique*, 08 February 2013.

⁴⁰ 'Bérets rouges tués au Mali: un charnier découvert près de Kati', Radio France Internationale, 04 December 2013.

⁴¹ Marc-Andre Boisvert, 'Waiting for justice for Mali's missing soldiers', Inter Press Service, 13 February 2014; and 'Mali: discovery of six soldiers' bodies near Kati sparks need for initiation of proceedings regarding mutiny of 30 September 2013', 4 March 2013, <https://www.fidh.org/International-Federation-for-Human-Rights/Africa/mali/14895-mali-discovery-of-six-soldiers-bodies-near-kati-sparks-need-for-initiation>, accessed 06 April 2015.

⁴² Confidential interview, Accra, 6 March 2015.

⁴³ See *Code de Conduite des Forces Armées et de Sécurité du Mali*, 1/10/1997. <http://www.resdal.org/Archivo/d000000c.htm>, last accessed 10 April 2015. Com-

member of civil society, even if the army is 'la grande muette' (works quietly behind the scenes),⁴⁴ and occupies a special position in Malian society, it is necessary for the political class and public to understand what is going on in the army.⁴⁵ As noted by members of Mali's political parties and civil society, there is a lack of public debate on national defence issues, lack of a formal defence policy and personnel planning in the army, and an inadequate oversight role played by the legislature with regard to the implementation of defence policy.⁴⁶

From having one of the most powerful militaries in the region at the beginning of the 1990s, by the time the coup occurred, the Malian army was under-equipped, functioned at a very basic level, and was incapable of protecting Mali's citizens and territorial sovereignty. Within the armed forces, corruption and nepotism afflicted all levels of the armed forces, lack of discipline within the armed forces, and a top-heavy structure due to an excessive number of senior officers. Mali's army had been weakened over the years by several factors, not least the effects of systematic corruption. Recruitment into the army was often secured through bribes, while promotions were frequently determined not on the grounds of merit but by nepotism and favouritism. This included promotion to the rank of generals, who included many associates of ATT, and whose high levels of compensation eroded the military budget.⁴⁷ The majority ethnic groups of southern Mali -- i.e. the Bambara, Soninke and Malinke -- were overrepresented in the Malian security forces, while minority ethnic groups, in particular the northern Tuareg, Maure, Songhai and Peul, were underrepresented.⁴⁸ Corruption was also alleged through the complicity or collusion of members of the state administration, political class and military officers with smuggling, including in several notorious cases of cocaine air shipments landing in northern Mali, kidnappings for ransom by Jihadist groups in the north,

pare with suggested principles in Adedeji Ebo, 'Vers un code de conduite pour les forces armées et de sécurité en Afrique: occasions et défis', DCAF, Geneva, March 2005.

⁴⁴ 'La grande muette' originated as a term for the French army before 1945, owing to restrictions imposed at that time on the individual freedoms of active service-members (that is, they were denied the right to vote, freedom of assembly, and freedom of expression). The army was held to be the silent, apolitical instrument of the executive. See Larousse Dictionary online, entry for 'muette: la grande muette'. <http://www.larousse.fr/dictionnaires/francais/muette/53108>, accessed 11 April 2015.

⁴⁵ Confidential interview, Bamako, 24 February 2015.

⁴⁶ For example, see 'Pour rendre plus efficace le système de défense du Mali', *L'Indépendant*, 01 September 2014, <http://www.maliweb.net/politique/rendre-efficace-systeme-defense-du-mali-ladema-association-propose-demobilisation-officiers-soldats-inaptes-fonction-militaire-500882.html>, accessed 05 April 2015.

⁴⁷ Stephen A. Harmon, *Terror and Insurgency in the Sahara-Sahel Region: Corruption, Contraband, Jihad and the Mali War of 2012-2013* (London: Ashgate, 2014), pp. 91-93.

⁴⁸ Festus Kofi Aubyn, 'Policing and Peace Operations in Africa: Reflections on MINUSMA', KAIPTC Occasional Paper No. 39 (March 2015), p. 15.

and illicit arms sales to such groups.⁴⁹ This complicity of state officials and some military and security officers was also linked to Bamako's stance vis-à-vis AQIM's activities in the north until mid-2011, which was likened by critics to that of an 'ostrich'.⁵⁰

The weakening of Malian army has also been credited to the depletion over the years of its weapons and equipment. This depletion occurred both through diversion of funds and through deliberate policies of successive presidents Konaré and ATT that prioritized development over defence procurement. This long-term hollowing out of the army resulted in a lack of logistical assets that could have enabled the resupply of northern garrisons and more effective defence against the MNLA attacks in 2012.⁵¹

Moreover, many Malian soldiers were said to be reluctant to be deployed to the north in response to the recurrent northern rebellions, due to the harsh conditions of desert warfare, daunting geography and complex security dynamics.⁵² Lack of adequate equipment exacerbated the challenges for Malian soldiers. In early 2012 in Aguelhoc, 150 Malian soldiers were killed in an attack by armed groups while lacking food and ammunition. The coup was spurred by outrage within the military at the harsh conditions faced by personnel deployed to the north to counter the Tuareg rebellion. Several interviewees in Bamako noted a sense of public sympathy for the military, whose members were perceived to have been abandoned without adequate training or equipment to the hostile environment in the north.⁵³

Issues of professionalism are also raised by some with regard to past efforts at integrating former rebels into the military and security forces. Some Tuareg who had gone through integration in the military or other security institutions in past DDR programmes felt in the past that they were not benefiting from promotions and were being discriminated against. This seemed to result in a subsequent integration in pronounced efforts to promote integrated former combatants. However appointment of integrated former combatants to positions for which they lacked the necessary background fostered resentment among oth-

⁴⁹ Baba Ahmed, 'Mali: "Une complicité en haut lieu avec les trafiquants de drogue et AQMI"', *Jeune Afrique*, 21 November 2011, <http://www.jeuneafrique.com/Article/ARTJAWEB20111121180128/>, accessed 15 April 2015; International Crisis Group, 'Mali: Avoiding Escalation', Report No. 189, 18 July 2012, p. 20; Andrew Lebovich, 'Mali's bad trip', *Foreign Policy*, 15 March 2013.

⁵⁰ Christophe Boisbouvier, 'Mali: AQMI, la fin de la politique de l'autruche?' *Jeune Afrique*, 29 June 2011. <http://www.jeuneafrique.com/Article/ARTJAJA2632p022-029-002.xml0/diplomatie-mali-securite-corruptionmali-aqmi-la-fin-de-la-politique-de-l-autruche.html>, accessed 15 April 2015.

⁵¹ Harmon, p. 92.

⁵² Pezard and Shurkin, p. 7.

⁵³ Confidential interviews, Bamako, 25-27 February 2015.

er military, as did the desertion from the army by many of the former rebels when new rebellions broke out.⁵⁴ Planning for DDR, and especially reintegration initiatives, must take these past experiences into account while striving to build a cohesive and inclusive Malian security sector.

SSR is needed to strengthen capacities of security services to protect the territorial integrity of the Malian state and to protect the Malian population from threats, including populations in the northern part of the country. A new military law – the *Loi d'orientation et de programmation militaire* (LOPM) – was passed in February. The law is guided by three objectives: the profound reform of the armed forces to reflect changes in its environment; providing adequate human resources to enable the armed forces to defend the country's population and territory in line with a national security doctrine. The law allocates over 20 % of the national budget, or 1230 billion West African CFA francs (the equivalent of 1.8 billion Euro), to building up the security sector and strengthening defence capacities over the next five years. Mali's armed forces currently number 31,000 and are estimated to require 20,000 more to reinforce its capacities in the north. According to the LOPM, 10,000 new personnel will be recruited, while military equipment will be updated, and living and working conditions will be significantly improved. It also aims to improve the training, equipment, management system and governance of the armed forces.⁵⁵

According to Malian observers, the country's military and security personnel must be better able to do their jobs – a matter of having the correct laws in place but also of having effective recruitment, training, career path management, professionalization and equipment. Mali has high levels of unemployment, and youth especially lack employment opportunities. Local observers note that there have been no efforts to portray a positive image of the army to youth, and many of those who join the army do so because of the lack of alternative livelihood opportunities. This however affects quality and operational effectiveness and is reflected in high rates of desertion, weak combat skills, etc. The recruitment process is also considered to have been mismanaged; instead of recruiting on merit, recruiting problematic (delinquent) youth to the army was perceived in Malian society over many years as a means of disciplining them, which further weakened professionalism in the armed forces and security forces.

⁵⁴ Kamissa Camara, 'Mergers and Insurrections', Good Governance Africa, 1 February 2015, <http://gga.org/stories/editions/aif-30-broken-ranks/mergers-and-insurrections>, accessed 13 April 2015.

⁵⁵ Abou Berthé, 'Mali: La Loi d'Orientation et de Programmation Militaire adoptée', Ciwara Info, 26 February 2015, <http://maliactu.net/mali-la-loi-dorientation-et-de-programmation-militaire-adoptee-12305-milliards-fcfa-pour-remettre-la-grande-muette-sur-pied/>, accessed 05 April 2015.

Another SSR challenge is related to the management of public goods in Mali, which has been affected by their use as a resource in local power and politics as a result of Mali's patrimonial or patron/client relationships. This includes the public goods of safety, security and justice, but extends to include others such as education and sanitation services. Mali faces a huge challenge in reforming the key state security institutions, including ensuring their good governance and introducing more effective checks and balances in their management and oversight, and better use of resources.

While the 2012 coup and subsequent crisis underscored the need for democratic civilian control of the armed forces, this has remained limited so far to executive control and formal oversight by the legislature. According to civil society actors, the military appears to be still not convinced of the role that civil society can play in democratic control, including the idea of security institutions that are inclusive and responsive to the needs of citizens. Others perceive the problem more on the side of civil society involvement in monitoring of the reform process, which was not done or not done appropriately, involving in some cases CSOs that were politicized or led by people from the political arena.⁵⁶ The crisis of 2012 has nevertheless served to spur NGOs and CSO activities in public dialogue around reform issues, which can help indirectly their function as watchdogs.⁵⁷

It is also noteworthy that while Mali's political elite may acknowledge to donors and international partners that trafficking is a problem in Mali, this is not necessarily the case with the general public. According to a Bamako-based governance expert, the issue of trafficking has not entered national debate, nor is it perceived to be a national priority. Rather, this is perceived as a livelihoods issue in the northern region where the state is almost completely absent and where there are few alternative means of survival. This attitude towards drug trafficking in particular stands in stark contrast to the attention that international actors have focused on it. In contrast, to some extent international terrorism is seen as a matter of concern among the general public, but is seen by some as being motivated primarily by the race for natural resources, or not as important as what is needed to achieve a certain level of security and development in the country. As noted by one respondent: 'The international community is waving the flag of jihadism and

⁵⁶ Confidential interview, Bamako, 25 February 2015.

⁵⁷ See for example the proceedings of civil society dialogues and consultative meetings, including Forum multi-acteurs sur la gouvernance au Mali (FMA), *Repenser la Gouvernance Démocratique au Mali* (Bamako: 2014); Alliance pour Refonder la Gouvernance en Afrique (ARGA), *Le Mali, de la Crise à la Refondation: Stratégie de Sortie de la Crise et Propositions de Refondation*; Institut Malien de Recherche Action sur la Paix (IMRAP) and Interpeace, *Autoportrait du Mali: Les Obstacles à la Paix* (Bamako: March 2015).

international terrorism. Is it really in our interests to get engaged in that process? It may affect our security and development.’⁵⁸

Other elements of Mali’s security and justice sector similarly require attention. Mali’s main law enforcement institutions are the national police, responsible for law enforcement and maintaining order in urban areas, while the paramilitary gendarmerie are responsible for rural areas. Both national police and gendarmerie fall under the Ministry of Internal Security and Civil Protection, and are generally believed to have remained under effective control of civilian authorities.⁵⁹ However, the police has also witnessed internal divisions, namely rival factions within the Mobile Security Group (*Groupe Mobile de Sécurité* or GMS) that engaged in clashes in September 2012 amid accusations that one faction, heavily armed in violation of Malian law, supported the former military junta and as a result received preferential treatment including special perks and unmerited promotions from interim President Dioncounda Traoré.⁶⁰ The promotions were subsequently revoked by Traoré. Nevertheless the ‘police war’ continued in November 2012 when several police commissioners were abducted by hooded men in police vehicles and held in a GMS camp in Bamako, which also houses the headquarters of a police trade union. They were released only after an appeal made by the High Islamic Council of Mali to their captors. The abduction was ascribed to police union leaders, who presented demands on behalf of their members.⁶¹ On 6 April 2013 a group of armed and security forces, led by a gendarmerie officer, intervened to disarm the heavily armed faction, a two-hour operation that resulted in the death of one soldier and the arrests of several police officers.⁶² Pro-putschist police in the GMS, along with certain members of the military and national guard, were also implicated in the torture of individuals opposing the coup.⁶³ Just as it seemed that the internal ‘police war’ had been resolved, the issue of promotions surfaced again in 2014 with

⁵⁸ Confidential interview, Bamako, 23 February 2015.

⁵⁹ See for example US Department of State, ‘Mali’, Country Reports on Human Rights Practices 2013, p. 6.

⁶⁰ ‘Mali: fusillade dans un camp de la police à Bamako, deux blessés’, *Jeune Afrique*, 26 September 2012; Mamadou Fofana, ‘Assaut de l’armée sur le Groupe Mobile de Sécurité (GMS)’, Maliweb.net, 7 April 2013, <http://www.maliweb.net/police/assaut-de-larmee-sur-le-groupe-mobile-de-securite-gms-un-jeune-soldat-tue-par-un-eleve-commissaire-issu-des-recentes-nominations-speciales-137834.html>, accessed 14 April 2015.

⁶¹ ‘Mali: “Guerre des polices”, Agence France Press, 17 November 2012; ‘Crise au sein de la police nationale: un dénouement heureux’, http://www.hornn.biz/dadodi/index.php?option=com_content&view=article&id=366:crise-au-sein-de-la-police-nationale-un-denuement-heureux&catid=61:societe&Itemid=124, accessed 14 April 2015.

⁶² ‘Mali: Opération de désarmement des policiers accusés d’être proches de la junte’, Radio France International, 6 April 2013.

⁶³ ‘Mali: Security forces “disappear” 20, torture others’, Human Rights Watch, 25 July 2012.

the signing of a decree by IBK that promoted a cohort of younger officers who were recruited in 2008 and 2009 over those recruited during the five preceding years. Buckling at the idea of younger officers holding command positions over their elders, the issue again threatened to create divisions within the police.⁶⁴

The Malian police are poorly trained and lack the necessary equipment and resources to fulfil their functions effectively.⁶⁵ Public opinion in Mali shows low levels of confidence in police. According to interviews conducted with civil society representatives in Bamako, the national police are held in low regard in public opinion for preying on the public by imposing 'fees' and soliciting bribes, particularly those officers involved in traffic control.⁶⁶ According to interviewees, there is a strong perception among members of the public that a significant number of individuals who join the police, or who purchase positions in the police for their children, do so as a long-term investment to supplement their official salary. The lack of confidence in police is reflected in public opinion polls. A 2014 national poll (but excluding the north) found that Malians consider the police as the public service that is second most poorly governed and corrupt (the justice sector held first place for bad governance).⁶⁷ In a 2015 poll focused on the north of Mali, 67% of respondents in Kidal expressed confidence in the police to provide security in their environment, whereas only 33% in Gao and 29.8% in Ménaka declared to have confidence in the police.⁶⁸ Nepotism is also perceived as the main factor influencing police budgets and promotions.⁶⁹ The gendarmerie, which are the paramilitary rural police, are viewed in the south in a more positive light than the national police and are considered less corrupt.⁷⁰ However the gendarmerie are viewed in worse terms than the police in the eyes of the public in the north, with 92.6% in Kidal and 65% in Gao expressing little or no confidence in them for local security.⁷¹

⁶⁴ Cleophas Tyenou, 'A qui profitent les dissensions entre policiers? Un décret signé par le président de la république Ibrahim Boubacar Keïta divise les commissaires', *Indépendant*, 11 July 2014, <http://www.maliweb.net/societe/profitent-les-dissensions-policiers-decret-signe-president-republique-ibrahim-boubacar-keita-divise-les-commissaires-410712.html>, accessed 14 April 2015.

⁶⁵ US Department of State, OSAC Bureau of Diplomatic Security, *Mali 2013 Crime and Safety Report*.

⁶⁶ Dansira Dembelé, 'Police Malienne: Corruption et racket à ciel ouvert', *Le Republicain Mali*, 25 September 2014, http://malijet.com/actualite_economique_du_mali/112468-police_malienne_corruption_et_racket.html, accessed 15 April 2015.

⁶⁷ Mali-Mètre, No. 5, août-septembre 2014, p. 10 and pp. 122, 125.

⁶⁸ Mali-Mètre, Spécial – Gao, Kidal, Ménaka, janvier-février 2015, p. 53.

⁶⁹ International Crisis Group, 'Mali: Security, Dialogue and Meaningful Reform', 11 April 2013, p. 137, n. 182.

⁷⁰ Mali-Mètre, 2014, p. 10.

⁷¹ Mali-Mètre, Spécial, 2015, p. 54.

The police reflected their colonial heritage until the early 1990s, when were demilitarised during the democratisation and national conference process of 1992. Since the events of 2012, some Malians have supported the remilitarisation of the police. In part this was a reaction to violent clashes between rival police unions. Remilitarisation has also been seen by some as a means to include police in joint battle groups (*groupements tactiques interarmes* or GTIA) that carry out securitisation and pacification activities in northern Mali, thus filling the gap in the security forces left by some 3000 integrated rebels who abandoned the army with the resumption of conflict.⁷² Indicative of the sensitivity of the issue of integration in the south, police unions have also protested the promotion of individuals who had supported the coup (presumably integrated personnel from earlier rebellions), and were successful insofar as those promotions were cancelled.⁷³ During the clashes in Kidal in May 2014, 36 policemen belonging to the mobile security group were killed while accompanying Prime Minister Moussa Mara on his visit to the town. Anger arose within the police ranks and the police union protested against the Director General of the National Police for having sent unarmed police into a volatile area, and accused him of incompetence and favouritism in his management of the police, moreover failing to ensure that police officers are paid their salaries on time.⁷⁴

Mali faces further challenges in the delivery of formal justice services to its population. This is particularly needed in the north, which was governed for 9 months by armed groups under a regime of Sharia law. During the armed conflict of 2012-13 human rights organisations documented there many serious violations of international humanitarian law by both sides to the conflict, including summary executions, forced disappearances, torture, forced amputations, looting, pillage, sexual violence, recruitment and use of child soldiers and destruction of cultural property. According to Human Rights Watch, past peace agreements failed to adequately address human rights violations committed during periods of unrest or even included provisions for immunity from prosecution. Following the Ouagadougou Accord in June 2013 and in the lead-up to the current round of peace negotiations, certain commanders and members of armed groups were released as confidence-building measures, despite apparent involvement of some of those individuals in serious crimes during the conflict. Subsequently, the Algiers peace negotiations have been criticised by human rights

⁷² 'Mali: Les Bamakois favorables à la remilitarisation de la police', 7 April 2013, http://malijet.com/la_societe_malienne_aujourd'hui/68734-mali-les-bamakois-favorables-a-la-remilitarisation-de-la-police.html, accessed 14 April 2015.

⁷³ United States Department of State, 'Mali', Country Reports on Human Rights Practices 2013, p. 5.

⁷⁴ 'Police nationale. La tête du Dg mise à prix', Le Flambeau, 17 June 2014, http://malijet.com/la_societe_malienne_aujourd'hui/actualite_de_la_nation_malienne/104692-police-nationale-la-tete-du-dg-mise-a-prix.html, accessed 14 April 2015.

groups for failing to adequately address possible war crimes committed by all parties to the conflict.⁷⁵

While the Malian authorities have conducted investigations into the disappearance and executions of the elite ‘berets rouges’ by forces loyal to Amadou Sanogo, there have been no formal justice procedures for the numerous victims of other abuses during the conflict. The sexual abuse of women and girls in northern Mali has been documented by various human rights groups. In 2014 women’s NGOs deposed a formal complaint at commune III on behalf of 80 women who had been raped in the north during the crisis.⁷⁶ This has led human rights observers to criticize the negligence on the part of the government and judicial authorities.

The formal justice system suffers from the same pervasive problem of corruption as found in the police, but to an even greater extent in the eyes of the Malian public. 78.4% of Malians consider the justice sector to be the public institution that is most affected by bad governance (higher than even perceptions of bad governance of the police which stands at 75 %).⁷⁷ While a high cost of entry is imposed on aspiring members of the judicial cadres (estimated currently at around \$10,000 USD by one interviewee), the members of the justice system are then able to levy fees and solicit bribes from the users of the system, who are equally aware that the system functions on the basis of bribes.⁷⁸

⁷⁵ Human Rights Watch, ‘Mali: Justice Crucial to Peace Talks’, 10 November 2014, <http://www.hrw.org/news/2014/11/10/mali-justice-crucial-peace-talks>, accessed 27 April 2015.

⁷⁶ Sidi Yahya, ‘Mali: Les victimes de l’occupation djihadiste sont dans l’attente de justice’ Sahelien.com, 27 February 2015.

⁷⁷ See Mali-Mètre, 2014, p. 10.

⁷⁸ Confidential interview, Bamako, 26 February 2015.

Challenges to effective SSR

Challenges to effective SSR specific to Mali result from the complexity of its crisis and the range of actors involved. The context of SSR in Mali is complex, raising particular challenges for SSR in Mali. The security sector is directly affected by three overlapping conflicts: first, the decades-old conflict between Bamako and the north of the country based on northern marginalisation and privation, with northern groups periodically rebelling and seeking greater autonomy or, increasingly, secession. Second, within the north there are inter-communal rivalries and conflicts among the various groups, vying for survival, access to resources, prestige and power.⁷⁹ The third conflict is the confrontation between international actors and international terrorist groups who are operating in and through expanses of the north in which the Malian state is largely absent. Each of these three conflicts affects the security apparatus and its governance, as well as the nature of international assistance that is provided to Mali for the reform of its security sector.

The north-south conflict raises issues of governance, inclusiveness of state institutions and the equitable provision of public goods and services, including safety, security and justice throughout all of Mali. SSR encompasses broader issues of governance of the delivery of the public goods and is deeply political in its implications and effects, which in combination with the complexity of its context, will pose considerable challenges to undertake effectively. Inter-communal tensions and rivalries have been influenced and exploited in the past by the Bamako's practice of outsourcing northern security to local militias. Western powers, in their focus on combatting Jihadist groups and cross-border trafficking, tend to reduce the complexities of northern Mali and focus on train and equip activities.

Current reform initiatives in Mali's security and justice sectors are being supported by various international donors and partners, who focus on capacity building, rehabilitation of infrastructure (offices and buildings), and training of personnel in justice, police, corrections, army, and border services. These efforts do not yet amount to a holistic SSR process. MINUSMA, which is mandated to support the rebuilding of the Malian security sector,⁸⁰ is engaging with the Malian government

⁷⁹ Kalilou Sidibé, 'Security Management in Northern Mali: Criminal Networks and Conflict Resolution Mechanisms', IDS Research Report 77 (August 2012), p. 25.

⁸⁰ As per Security Council Resolution 2164 (2014), para 13(c) (ii), MINUSMA is mandated 'to support national, and to coordinate international, efforts towards rebuilding the Malian security sector, especially the police and gendarmerie through technical assistance, capacity-building, co-location and mentoring programmes, as well

to help develop a holistic programme in SSR. A reflection group on SSR has been established and a reflection process resulted in a report on how the Malian SSR process should be handled. One of its recommendations was to create a national council on SSR (*conseil nationale pour la réforme du secteur de la sécurité* or CRSS). The CRSS was created by the government in August 2014, with responsibility for defining the strategic guidelines and identify national priorities in SSR; deciding on corrective measures in the course of SSR; validating budgets proposed by the reform coordination cell; mobilising resources needed for the reform; and ensuring the effective implementation of the reform process.⁸¹ In addition to this strategic level guidance, a permanent technical commission on SSR was envisioned as a secretariat, and established by presidential decree, but its members have not yet been appointed. This will be activated once a peace agreement is endorsed, and it is likely that the armed groups will be represented on the CRSS council.⁸²

Underlining MINUSMA's lead role in coordinating international support to SSR is the creation of the Strategic Committee on SSR and DDR. This Strategic Committee is a coordinating structure that brings bilateral and multilateral partners to the table on DDR and SSR initiatives, and is chaired by the Special Representative of the Secretary-General (SRSG) or his deputy. This functions as the counterpart of the CRSS.

However, while MINUSMA has been mandated with leading coordination on SSR, it is a recent arrival in Mali, where coordination mechanisms were already in place for international donors working in the spheres of security and justice, including structures for coordinating technical and financial partners of Mali. One such pre-existing structure exists for example on internal security and justice, and continues to meet. Along with such pre-existing arrangements, MINUSMA shares a crowded field with newer arrivals. The EU Training Mission in Mali (EUTM) and EUCAP Sahel Mali were, like MINUSMA, established after the 2012-13 crisis and represent EU-led capacity-building initiatives for, respectively, Mali's armed forces and internal security forces. While recognising MINUSMA's role in coordinating international support to SSR, Bamako will continue with such cooperative mechanisms in international security.

as the rule of law and justice sectors, within its capacities, and in close collaboration with other bilateral partners, donors, and international organizations, including the EU, engaged in these fields, including through enhancing information sharing and joint strategic planning among all actors'.

⁸¹ Réforme du secteur de la sécurité au Mali, Pana, 28 August 2014, <http://maliactu.net/reforme-du-secteur-de-la-securite-au-mali/>, accessed 11 April 2015.

⁸² Confidential interview, Bamako, 25 February 2015.

In the wake of the crisis and the acknowledged risk of instability and jihadi activity across the Sahel, Mali is the recipient of ongoing security cooperation and assistance. Given the prominent role of intra- and inter-community rivalries in previous conflicts in Mali, any effort to provide security assistance to local actors, particularly in northern Mali, must strive to understand how such infusions of resources and training will impact on relations among the groups.⁸³ Moreover, while the EU, MINUSMA and bilateral donors have been providing training and capacity-building for Mali's armed and security forces, a focus on technical assistance alone will not be sufficient to transform the dysfunctional Malian armed forces, which require deep structural reforms that target the organizational culture, professionalism, and leadership of the army. Indeed past technical assistance contributed to the problems of Mali's armed forces today. For example, shortly after the French intervention, US General Carter Ham, Head of US Africa Command, admitted that past US military training and security assistance to Mali had focused on tactics, strategy and technical matters, and had failed to instil values or the military professional ethos.⁸⁴ US security assistance from 2005-2011 under the auspices of the regional Trans-Saharan Counterterrorism Initiative focused on training a small number of elite tactical units, and the provision of vehicles and communications equipment, leaving the regular Malian military undertrained and under-equipped for conventional war.⁸⁵

Interviews conducted in Bamako suggest that MINUSMA's image in Mali needs to be carefully managed. According to one Bamako-based governance expert, when MINUSMA first arrived there was some anxiety among the public and a wait and see attitude. This mixed response was reflected in public opinion polls results in early 2014 showing 48.8% of Mali's population viewing MINUSMA's presence in the country as clearly positive, while 47.2% saw it as 'somewhat positive', negative or very negative.⁸⁶ Moreover a strong majority of Malians preferred a relatively short engagement by MINUSMA and Barkhane, with 70% in favour of their presence in the country lasting only 1-2 years after the signing of a peace accord with the armed groups.⁸⁷ The mission was perceived by some Malians as a foreign body in the country, whose presence was opposed from what some have called the sense of national pride. Once the mission began to operate it became evident that most of the peacekeeping forces were based in the south while the problems were in the north. MINUSMA was also perceived to be colluding with

⁸³ Stephanie Pezard and Michael Shurkin, 'Toward a Secure and Stable Northern Mali: Approaches to Engaging Local Actors', RAND, RR-296-OSD, 2013, p. 10.

⁸⁴ Carter Ham, 'Is America Training Too Many Foreign Armies?', *Foreign Policy*, 28 January 2013.

⁸⁵ Joshua Hammer, 'When the Jihad Came to Mali', *New York Review of Books*, 19 February 2013.

⁸⁶ Mali-Mètre, 2014, p. 52.

⁸⁷ Mali-Mètre, 2014, p. 54.

the MNLA at one point, leading to the demonstrations in Gao that resulted in several deaths. While MINUSMA is acknowledged as providing a certain stability and reassuring presence, its mandate and role are not well understood by Malian society. Despite having 'stabilization' in its name, civil society actors do not yet perceive it as playing a stabilizing role. Further, MINUSMA appears to have entered into a competitive relation with other regional actors and partners, and the rationale and means by which it will assume a leadership role, including vis-à-vis Mali's traditional main development actors, is unclear to some Malian civil society actors. Moreover, while some Malians acknowledge the added value of the peacekeeping mission's presence, others perceive that most peacekeepers are only motivated by the compensation they receive for being deployed on the international mission.

Conclusion

Effective SSR – finding a way for all of Mali’s citizens to benefit from safety, security and access to justice – is not going to be straightforward or easily achieved. Passage of the new LOPM is but one necessary step in a long process, a process that is inextricably tied to the endorsement of a credible peace agreement. In addition to new laws, revised policies and appropriate budgets, Mali must endeavour to transform the organizational culture within its security sector, to build integrity and an apolitical, professional ethos. As described above, there are multiple, interacting tensions concerning the composition of security institutions, such as integration of former rebels, inclusiveness in the state security apparatus, and responsiveness to local needs and concerns, which in the northern part of the country may mean security institutions composed largely of northerners. Within the institutions themselves issues that need to be addressed include improving internal discipline, strengthening civilian authority over the military and the police, fostering more effective management including the promotion of officers on the basis of merit, enhancing professionalism, combating corruption and building integrity, and dealing with the political divisions and rival factions within both the military and police. Vetting of the defence and security forces to remove perpetrators of human rights abuses, and to prevent such individuals from being integrated into the security sector, will also be necessary to repair the integrity of the services. While Mali is the recipient of international assistance in the form of funding, capacity-building and training in targeted areas, these activities must be balanced with the root-and-branch reform of the security sector and should form part of a long-term process for the establishment of an effective, professional and accountable security sector that serves all Malians.



Norwegian Institute of International Affairs

Established in 1959, the Norwegian Institute of International Affairs [NUI] is a leading independent research institute on international politics and areas of relevance to Norwegian foreign policy. Formally under the Ministry of Education and Research, NUI nevertheless operates as an independent, non-political instance in all its professional activities. Research undertaken at NUI ranges from short-term applied research to more long-term basic research.

About the Author

Dr Marina Caparini is Senior Research Associate at the Institute for Security Studies (South Africa) and Senior Associate with the Security Governance Group (Canada).

NUI

Norwegian Institute of International Affairs
C.J. Hambros plass 2D
PO Box 8159 Dep. NO-0033 Oslo, Norway
www.nupi.no | info@nupi.no