

Assessing SSR opportunities and challenges during the transition in Mali

By Flore Berger

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Five months after the coup d'Etat that overthrew former president Ibrahim Boubacar Keita (IBK), the main questions around the 18-month transition period - what it will look like, who will be the key actors, what will be the priorities - have been answered, at least on paper. The military intervened on the premise of doing what elected leaders had failed to do: putting an end to practices of bad governance that have brought the country to the brink and put in place a "Mali nouveau". The priorities set out by the new authorities are ambitious, from adopting a new constitution to revitalising the implementation of the peace process, overhauling the educational system, and restoring state authority and social services. The environment could thus be conducive for security sector reform (SSR), a process that has been at a stalemate for the past years, along with other political projects such as the implementation of the 2015 peace agreement.

However, while the transitional period opens up new possibilities, many challenges and obstacles to meaningful SSR progresses remain. Of particular concern is the growing presence of jihadist groups in the Liptako-Gourma area - notwithstanding military efforts by national, regional and international actors - and its impact on the population. These groups have indeed been fueling communal violence between Dogon and Fulani ethnic groups, which has led to the creation of hundreds of self-defence militias (especially in the Mopti region) engaging in tit-for-tat attacks. In addition to the threat posed by armed groups, civilians also suffer from abuse by defence and security forces, weakening the trust between these forces and the population.¹ At the same time, banditry and criminality are on the rise in urban areas, including the capital Bamako. On the socio-economic

front, the situation remains tense with two general strikes organised by the National Workers' Union of Mali (UNTM) in mid and late December, and many more organised by various unions (doctors, teachers, civil administrators) throughout the country.² The new authorities in Bamako thus have to deal with a volatile context while laying the foundation for a return to constitutional order.

Who is in charge of security sector reform?

The executive

Four military figures have been named to key security ministries involved in SSR: Defence, Security, National Reconciliation and Territorial Administration. With Vice-President Aisimi Goita who, as per article 7 of the charter of the transition, "is in charge of all security and defence questions",³ there is a small and narrow group of military officers in charge of SSR during the transition.

In addition to the ministers themselves, the government's reshuffling continued with many appointments late November, including 17 new governors and about 30 directors, chiefs of staff, technical advisers and project officers in the four ministries headed by the military and related to SSR.⁴ It is worth noting that out of the 17 governors - the highest representative of state authority in the regions - 11 are from the defence and security forces.⁵ After these nominations, 13 out of 20 regions will be under

military or security personnel, about three times more than in the previous territorial organisation.

While the new authorities have not taken a direct and public stance on SSR (and practically how they envisage it going forward), a government shaped by a military mindset may result in the sidelining of civilian political actors from institutional and political reforms. This would include SSR, and would negatively impact the fundamental need for inclusiveness and broad ownership. Moreover, the authorities have shown that they are, for now, focused on the immediate and mid-term priorities of securing the transition and organising the next elections.

The next step would be to take a long-term approach and sustained efforts, which is what SSR requires. For these reforms to be successful, the government will need to re-balance the security approach from state-centric reform to a more people-centred process (human security), for example by ensuring counterterrorism operations do not substitute for basic policing services.⁶

The legislative

The Conseil National de Transition (CNT) was the last organ of the transition to be put in place, more than three months after the coup. While its members are unelected, the body will play the role of the National Assembly, with the vital responsibility of adopting laws on the main institutional and political reforms the transition authorities want to undertake, and will thus have a direct impact on progress with SSR. It's worth noting that the composition of the CNT was contested from the very beginning because the distribution of key seats – clé de repartition – was decided unilaterally and gave 1/5 of the seats to the security and defence forces.⁷ A list of 121 names was eventually published in early December, including not only members of the armed forces but also members of the former majority and opposition parties, the M5-RFP, civil society organisations, former rebel armed groups members, Tuareg personalities, etc.⁸

On 05 December, CNT members appointed Malick Diaw, number 2 of the Comité National pour le Salut du Peuple (CNSP) that overthrew IBK, as president of the council with 111 votes out of 121 by a secret ballot vote – an important victory for the military. The CNT has established thematic commissions (defence, health, foreign relations) but has yet to start working on legislative proposals. It also remains to be seen what relationship the CNT will have with the executive given its composition and its head, a close ally to VP

Assimi Goita. In any case, the CNT is not a consensual organ, and has been boycotted by the M5-RFP and other socio-political parties, which will have a potential impact on laws that will be adopted (e.g. draft resolution on the territorial police) and hence on reforms and progress on SSR.

Continuity in the midst of change

The coup, the instability that followed, and the establishment of the transitional authorities has inevitably slowed down progress on security sector reform as it diverted the attention of national and international actors. As international partners assessed the fallout from the coup, those working and supporting the authorities in the development of defence and security forces were faced with a situation where these same forces were involved in the coup. The immediate reactions were thus very cautious. The European Union and France decided to suspend direct training to security forces until the transitional government was put in place in mid-October, while the US suspended all their activities with direct assistance to the forces until the end of the 18-month transition and the restoration of a democratically elected government.⁹ Other actors, such as the MINUSMA and UNDP, condemned the coup but did not suspend their collaboration with their Malian partners, quickly engaging with the new authorities. More broadly, the coup and the degrading security situation highlighted the limits and shortcomings of the international partners' stabilisation strategies – in particular the prioritisation of a military approach over one addressing governance grievances – and has led to a process of introspection and stock taking.

But despite the challenges and the uncertainty resulting from the coup, operations and partnerships quickly resumed, and most actors involved in SSR recognised that the transition phase was and is a crucial moment to engage with the security sector. It is thus important to highlight the continuity of the process and the new opportunities the transition presents in an otherwise volatile environment. Indeed, in the past five months, despite new personalities heading ministries, general directorates or committees, the new authorities pursued ongoing SSR strategies and efforts. For example, the Commissariat à la RSS (CRSS) – attached to the Prime Minister – continues its work on the SSR national strategy and the composition and implementation of local security committees, a global strategic framework for community policing, a plan for the return of the administration, and basic

social services in the centre and the north. Similarly, efforts taking place at the ministerial level in terms of access to justice and strengthening of judicial actors, increasing security forces presence (e.g. more deployment and territorial coverage by the gendarmerie) as well as transparency and trust building continue to take place in collaboration with international partners. Finally, actors providing oversight of defence and security forces – such as inspections services, civil society organisations, and the media – continued to monitor the situation and report on human rights violations committed by security and defence forces throughout the period.

On a more strategic level, the authorities adopted a roadmap for the transition, following two days of national consultation which took place in September 2020 in Bamako. The roadmap revolves around six main axes: strengthening security throughout the national territory; the promotion of good governance; the overhaul of the education system; political and institutional reforms; the adoption of a social stability pact; and the organisation of general elections. As far as SSR is concerned, the transitional authorities aim at, amongst other things, revitalising the DDR process, restoring the state through the provision of basic social services (including policing), strengthening the fight against impunity and corruption, and running an audit of the funds allocated to the security and defence forces. Uncertainty remains, however, as to how and when reforms to improve governance are going to take place. Five months after the coup, the major projects of the “Mali nouveau” have not yet started, nor has a clear action plan or calendar been adopted by the new authorities.

In what has been considered a positive sign, the Agreement Monitoring Committee (CSA) of the Algiers Peace Agreement met for the first time since the establishment of the Transition on 16 November 2020 with the presence of Prime Minister Moctar Ouane.¹⁰ The CSA also adopted a roadmap on 18 December to implement priority actions provided for in the Peace Agreement on various questions, including some related to SSR:¹¹

- on political aspects: adoption of draft resolution on the territorial police by the CNT by February 2021, opening of the Haut Conseil des Collectivités by March 2021.
- on defence and security: clarifying the notion of reconstituted defence and security forces and the issues of quotas, the finalisation of the accelerated DDR, which was planned in December

2020, the operationalisation of the territorial police by March 2021, etc.

Some of these priority actions have already started, such as the re-launch of the accelerated DDR process to reach the 3,000 combatants (1,687 remaining) integrated into the defence and security forces,¹² and the resumption of public hearings of the Truth, Justice and Reconciliation Commission (CVJR) on 05 December under the presidency of Prime Minister Moctar Ouane.¹³ The DDR process is a top priority of the transitional government, and this period could be an opportunity to remove obstacles relating to the sensitivity of the composition of the defence and security forces in Mali. However it is possible to overcome these challenges by not only focusing on the technicalities of SSR and DDR, but also on the political and institutional aspects of SSR. This can be done through the acting of clear decisions including on the size, composition, command and missions of defence and security forces.¹⁴

Conclusion

The 18-month transition roadmap is an ambitious plan. Many challenges lie ahead for the authorities, including laying the groundwork for the upcoming elections, which implies a reform of the electoral system and the drafting of a new constitution. If meaningful and comprehensive SSR is to take place, Malian leadership, oversight actors and international partners will need to take a hard look at why the process has so far been difficult to deliver. While the transition unfolds over the coming months, it will be necessary for all stakeholders to remain flexible and careful, especially towards the start of the electoral campaign and expected political maneuvering, which will take place ahead of it. While major breakthroughs in SSR may be unlikely in the coming months, sustained engagement at the strategic and technical levels remains possible and is, in fact, essential to ensure previous gains are not lost and new momentum for inclusive reforms can be created.

There is indeed a need for decreasing the gap between policies and behavior of security institutions, which will in turn have a positive impact on public trust of these institutions. To do so, Malian SSR actors need to come together and debate core security issues at state and local level to define joint understanding of needs and priorities. There is also scope to better understand and target the political or economic

incentives influencing behaviour or actions of security institutions. The role of external actors that provide oversight over security institutions will also be critical during the transition period as the civic space tends to shrink with military interference. Facilitating exchange platforms between these actors and security institutions, as well as supporting them through capacity building and strategic guidance on how to best engage and support in SSR, will be critical.

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For further details, please contact Fiona Schnell, Reseach Coordinator, SSAD: f.schnell@dcaf.ch

DCAF

Chemin Eugène Rigot 2E, 1202 Geneva, Switzerland

www.dcaf.ch/sub-saharan-africa