**The crises in Mali and the Sahel-Sahara region: A critical review of the realities and the responses**

*Minutes of the meeting held on September 9-10, 2013 in Tunis*

Two days of debate co-organized by the Center 4S, the International Peace Institute (IPI) and the Center for Humanitarian Dialog (HD Center), have enabled a fruitful exchange between policy makers, researchers and experts from the Maghreb region, the countries of the Sahel and from Europe. This report provides a summary of the analyses and recommendations made by the various participants, in light of all the exchanges, and by placing the focus on realities sometimes poorly known, ignored, or are lacking in the analyses available and in the proposed responses. This report is being written under the Chatham House rule. The contributions and testimonies will remain anonymous. It is up to all of the participants to take them back and carry them forward as they see fit.

*Cooperation and enhanced integration between all the countries of the Maghreb and the Sahel States*

The Malian crisis has revealed the fragility of the Sahelian states faced with a meltdown of the model of the nation-state adopted since their independence, without any real attempt to anchor in local ownership or construction of a viable national entity. The central state has shown itself unable to ensure its role of protecting populations and promotion of their well-being. To this must be added, a proliferation of organized crime and the implantation of terrorist groups.

To cope with these common major challenges, the need for cooperation, or further integration between the Sahelian states and those in the Maghreb has been identified as a priority in the search for effective responses to crises that afflict this vast area, keeping in mind the specificities of the national contexts within individual states.

Indeed, although insecurity and conflicts between the center and the periphery have spread in the Sahel as well as in the Maghreb, and in spite of the growing number of Sahel strategies, the responses provided by the states and regional organizations remain only reactive and not very effective. The regional and national actors are also still largely dependent on an external interventionism that is increasing due to lack of effective regional cooperation in the fields of prevention or management of crises and threats.

For the participants, the main obstacles to effective cooperation among countries of the Maghreb and the Sahel reside in an exclusive focus of policies relating to security matters to the detriment of cooperative approaches mobilizing other tools, as well as in the lack of coherence among national strategies and of trust among these States. The rivalries between the States of the Maghreb, and in particular the competition between Algeria and Libya until 2011, have led to the failure of strategies to fight against terrorism and organized crime, two common threats which are still at the center of power struggles at the regional scale. Thus, in

the context of the Malian crisis, the initiatives and the rivalry of the Maghreb States, more particularly of Algeria and Morocco, have prevented the development of a sub-regional response including in the Maghreb, opening the door to an intervention of France at the southern border of Algeria. Similarly, disputes among states of the Maghreb and the absence of consequent cooperation, currently hamper the development of inclusive political solutions for northern Mali; while the liabilities between Mali and Mauritania in the fight against terrorism, inherited from ATT's presidency, still seemingly arouse distrust and slowness, and hamper the restoration of cooperation ties in security matters between these two states.

Therefore, how do we design a stronger framework of political cooperation among states in the Sahel and the Maghreb? If in the framework of the Malian crisis, the Economic Community of West African States (ECOWAS) played a prominent role, it cannot constitute a framework of cooperation completely relevant to meet the challenges of other states in the Sahel region, such as Chad and Mauritania, that are not members of ECOWAS. Among past attempts of regional grouping between states of the Sahel and the Maghreb, few organizations - despite their excessive number - have today an operational reality, namely due to the exclusion of one or more key states from these groupings, an exclusion which therefore paralyzes any regional initiatives as illustrated by the case of CENSAD (created by Qaddafi's Libya, absence of Algeria) or of the CEMOC (absence of Libya) in the security field.

The African Union could initially provide a relevant framework for developing this cooperation provided that Morocco rejoins the organization. However, beyond the inclusion of all the states concerned in the same organizational framework, this regional cooperation must be based on clear political and diplomatic choices, which allow the gradual harmonization of states' initiatives that alone can give them credibility.

Faced with these political and operational challenges, proposals to deepen political cooperation among states of the zone in areas other than those of security and defense have been launched, which rely on the existing and effective cooperation frameworks (UEMOA, ECOWAS). Thus, a customs union between the states of the Maghreb and ECOWAS, or at least with UEMOA countries, would promote regional cooperation and renew the links between the state and its populations - especially those located in the periphery of the country. This customs union could promote the economic development of populations, reduce their dependence on trafficking, limit the deadweight effects related to the trafficking of goods subsidized or zero-rated in the neighboring countries, and allow the states of the zone to concentrate their efforts on the fight against transnational organized crime. This would compel several countries to review their social and economic policies, but also enable the emergence of other financial solidarity at the African level.

Increasing integration among countries of the Sahel and the Maghreb also entails rethinking these spaces, in particular the Sahara, on the basis of populations' socio-historical realities: the Sahara constitutes an exchanges and trade space between sub-Saharan Africa and North Africa. The people who live there, particularly in northern Mali, are as well oriented to the Niger river as toward the north. Taking into account these realities would allow for the development of public policies in order to release the potential for economic development in these areas. The same goes for the concept of border. The borders of Mali with Algeria, Niger and Mauritania are perceived as spaces of exchange and mobility, therefore of potential wealth for the people. In the absence of development of these potentials (customs union, border town, etc.), the traffic at borders and the pressure of the security actors will maintain the populations in a sure precarity. *Borders and customs barriers are today synonymous with corruption, fraud and constitute as much of income that can be mobilized by state agents in*

*charge of the surveillance of borders. This potentiality of significant gains in the light of the available resources, feeds traffics of influence, especially within the public service, and reinforces the corruption of the security and defense apparatus of states.* These derivatives already old are as much of anchor point favoring the implantation of more complex criminal networks (trafficking in arms, persons or of drugs), which persist despite the presence of French forces and the deployment of MINUSMA).

**Rethink the design and implementation of aid strategies in Mali**

Although the debate was introduced by a presentation of the strategies of the United Nations and the European Union for the Sahel, supplemented later by a reminder of the pillars of the action of the International Organization of la Francophonie (OIF), this report is more of a critical review of these strategies and proposals for improvement which have emerged. The different strategies developed and implemented in the Sahel, yesterday as today, are very similar in their design and implementation, with the exception of the selected geographical areas of intervention (problem of the definition of the Sahel: from Senegal to Somalia?). Therefore, the following remarks and proposals are addressed to all the strategies.

Concerning the conceptualization of the strategies, a mature reflection on the initial assumptions of certain strategic axes that emerged such as "the fight against radicalization" is essential. The latter may be at the basis of important prevention programs, of accompaniments targeting state social or educational systems, although the assumptions that underlie the areas of action of this struggle (idle, jobless youth, rooted in Muslim cultures) are not very solid in the opinion of several experts and guests from the Sahel.. There are no good solutions when the right questions are not asked.

A consensus also emerged on the imperative need to rethink the step "operationalization / implementation" of these strategies. For this, the individual State, and even more the civil society of the countries concerned, must play a central role in the development of operational tools of the strategies. The citizen will thus most likely be in the best position to express his desires and needs and to point out the real obstacles.

This renewed ownership by the national actors must also consider that the state (or other national actors according to the scales of the strategy) assumed the coordination of different support received, streamlining the external accompaniments. In that regard, a cooperative reflection on the terms of the contracts, the deadlines, their operational dimensions, must be engaged in the design phase of the strategies.

That is why these strategies must become framework documents established by contract between the international organizations or champion states and the Sahelian countries concerned. These contracts would provide the tools of a cooperation based on a better ownership by the governments concerned as by the actors at the most decentralized level.

Finally, the evaluation of the actions undertaken should take into consideration the real needs of the people. Moreover, the willingness to take into account the balance of past strategies, to assess their implementation and the results obtained appears low. This inventory effort should be a pillar for the strategies and programs of action to come. According to the participants, it is therefore imperative to integrate monitoring and evaluation processes, and different tools in the implementation phase of the strategies. These processes must strive to achieve, during the production of framework documents, an assessment of the actions previously undertaken in order to initiate a reflection on the effects observed. Can we identify positive results and in this case focus on a monitoring mechanism that works instead of multiplying programs or

projects that are externally funded? Can we analyze the failures and learn the lessons? To do this, it is necessary to imagine approaches that are less systematic, and devise indicators of results other than the only measure of actual disbursements of the funds allocated to projects.

<u>Next steps for Mali: proposals addressed to the elected regime and partners</u>

**Understand and integrate the realities of Malian crises**

It is necessary to understand the interconnections of the Malian crises. The fall of the regime in Bamako is not a secondary event of the crisis in the North, but rather the result of a crisis that is being played in the whole country, at the level of the central state and in its relationship with the peripheries (geographical, economic, social). This raises the question of the relationships to reinvent between the state and its citizens, between Bamako and the other regions. The armed conflict in the North of the country posed this problematique most acutely. Therefore, it is first in the conduct of the peace process, placing the populations of the North in the center of the solutions. The central government and the newly elected president, and the actors in the North should heed this fact as they consider relevant and durable responses to these conflicting issues.

**Take the time to build peace**

The first of the dangers is that the Malian Government, with the legitimacy it gained from the ballot box, and relying on the capabilities of certain ministers to co-opt some actors in the North may be tempted to refuse to enter into a logic of negotiations and oppose any process that would force it to recognize legitimacy to the armed movements. In the absence of a common decision-making process and recognition of its interdependence with these movements, the government will prevent itself from clearly stating the problems and working on lasting peace agreements. This risk is all the more important today as there seems to be much more money available to capture, which is no incentive to open the way to a political settlement of the substantive issues.

It is essential to focus on the crucial issue of inclusive dialogue with all the actors, i.e. a negotiation with the armed movements, but also, by an extensive consultation process, an integration of the desires and needs of the citizens of northern Mali. This dual process would help to meet the preconditions to the signing of peace agreements that are mutually acceptable, recognized by the parties, applicable and sustainable. Inclusive agreements assume the integration of all relevant actors in the negotiations. It is therefore essential to **take the time** to consult the citizens at the local level (circles, regions), in northern Mali, and then at the national level, in order to move towards the formulation of national policies and strategies dealing with the root causes of this multifaceted Malian crisis, in compliance with the agreements that will be negotiated with the armed movements. At another level, Mali's neighbors will also need to be included in the framework of a renewed cooperation to develop a new territorial administration, especially in the North.

The question of the relevance of the Dialogue and Reconciliation Commission (DRC) in its current format was widely debated. To remedy this deficiency, the participants proposed to revise the road map and methodology of the DRC in order to allow for the organization of meetings ranging from the base to the summit (national). This last step should not be underestimated. The discussions at the Tunis meeting have in fact pointed out the existence of a vast ignorance and mistrust between the populations of the North and the South, an ignorance that the conflict has further reinforced. In addition, it was stressed there was an

equally pressing need to engage into an equally important dialogue between citizens and the security forces.

Beyond the current missions of the DRC, a judicial inquiry into the egregious human rights violation in 2012, including at the local level, must be undertaken. This process will need to be supplemented by a historical work to restore the facts on all the conflicts that have affected the country since 1963. This double work constitutes a prerequisite for the reconstruction of trust between the citizens and the political class, and between the citizens of the North and state institutions, in the first place its army. The transformation of the DRC into a Dialogue, Truth and Reconciliation Commission raises the question of its ability to ensure effectively all its missions.

Several questions also remain on the objectives of the general meetings / national consultations on decentralization in the North announced by the new Government of Mali. Do they have as goal the establishment of a consultation framework, a forum of proposals, which could then enable the elaboration of proposals in view of negotiations? How will these spaces of consultation (of proposal? of decision?) be tied to the negotiations?

*If the negotiations are to take place, it is necessary to rely on the examination of the failure of past agreements in order not to reproduce the same errors.* The participants, in this spirit, stressed the need to put in place an architecture and an agenda defined in the agreements in order to make their application possible, and to provide the conditions for its monitoring in a realistic manner, particularly with regard to timing. Thus, the failure of previous agreements is, according to the meeting experts, in large part the result of "marathon agreements".

In order to ensure follow-up, another proposal is to give to the High Council of Local Communities a monitoring and evaluation role and that of national guarantor of the agreements, while partners and associated mediators would ensure an international warranty.

**Good governance and relations between the State and the people in the North**

It is imperative to give priority to the reestablishment of basic social services (health, school) in the context of the return of the administration in the north of the country. The restoration of the state in the North cannot rely only on the return of the Malian defense and security apparatus. The deployment of these forces should be seen as accompanying the return of basic services and state community agents. Otherwise, the signal sent to the people of the North of Mali, including to refugee populations, will be contrary to the sought objective of living together and rebuilding trust. The methods that failed and led to the current conflict should not be reproduced (cf. implementation of the PSPSDN or the Special Program for Peace, Security and Development in northern Mali, which started with the construction of barracks before it considered issues such as access to education, health care, or local economic development).

**Good governance and reform of the army and security forces**

The European Union Training Mission (EUTM) has launched a reform of the Malian security and defense forces; however all the observers agree that the magnitude of the task is huge. The reconfiguration of units and battalions and the equipping of the forces are not sufficient to the reconstruction of republican and operational security and defense forces. It is necessary to highlight the need to rethink the role of these forces and the distribution of their missions (protection, defense, anti-trafficking, etc.). To do this, policies must be placed at the center of the reform of the security and defense forces.

Original proposals also emerged in order to suggest the presence of joint national defense and security forces, integrating all the components of the nation, while allowing for a security of proximity adapted to local realities. Several tracks have been outlined: the possibility to discuss these problems with the different local communities in order to develop a more community-based local security; the ability to create municipal police where community youth could ensure the security of municipalities, villages and encampments.

**Good governance and refounding of political life**

In the Sahel, organized crime, including drug trafficking, constitutes a threat to the political and security order, far more than terrorism. If all the states in the Sahel have officially made the fight against drug trafficking a priority, particularly since the end of the 2000s, one of the explanations of its current failure lies in the nesting of trafficking networks within states and their operations: where does the money for electoral campaigns in Mali, Niger or in the whole of the Sahel come from? Widely from drug trafficking that causes accountability of political leaders toward these illicit circuits. Political leaders, both at the local and national levels, are then forced to protect them or to continue using them. To put an end to this vicious circle, and allow the states of the Sahel to develop appropriate tools to secure their territories, it is necessary to accompany the customs measures mentioned above with a reflection on the financing of the political life, and electoral campaigns in particular.

Addressing the question of the financing of the political life also needs posing the problem of the behavior of the electoral body and citizens during elections, as well as the status of the opposition. Participants from the sub-region stressed "that there has never been an election in Mali, nor in Niger", the latter being led astray by fraud, vote buying and voting instructions. The absence of structured opposition parties in the Sahel countries, and in Mali in particular where ATT's "democracy of consensus" was long-praised, has deprived the nation from dissenting voices and countervailing power. A west-African observer went further, referring to the absence of political parties in Mali, well illustrated by the last elections where the so-called first political party of the country (80% of seats in the Assembly) collapsed: "Everybody wants to go to the State soup".

The consideration of these realities and their consequences on the democratic vitality of Mali has not yet led to the formulation of clear proposals. However, the question of the renewal of the functioning of political life, political parties, and the role of the citizen, must be placed at the center of the political agenda as the newly-elected Malian president is already looking toward the legislative elections and the constitution of a presidential majority in the Assembly.

**The legislative elections: risk analyzes and proposals**

The precipitation toward the organization of legislative elections in such a context raises the fear of return of the political order that prevailed before the coup. In fact, in the opinion of Malians participants, the presidential election was held under the same auspices as previous ones. Officials in the sub-region also stressed that the necessary inventory of the lessons arising from the presidential elections is yet to be done.

A number of experts and regional politicians have stressed the need not to rush the legislative elections, despite the constitutional constraints that are pushing for a ballot before mid-December.

Certainly, the relatively good conduct of the presidential elections gives hope to the possibility of holding quickly a legislative ballot, which would have the benefit of avoiding the specter of a repeat of the situation in Guinea-Conakry or of a transitional mandate for the newly-elected president. However, a legislative ballot presents very different parameters of the presidential ballot, which should not be overlooked in view of the country's political reconstruction.

In addition to the problems outlined above on the functioning of political life, a legislative election in the current situation could reinforce the split between the political class and the populations, especially in the North: "Organize the legislative elections without having initiated or organized the return of refugees is tantamount to their exclusion" affirmed an expert from Mali. It should also be noted that if the populations in the North weigh relatively little in the context of a presidential election, it is otherwise when it comes to elect national representatives who are elected at the local level. In effect, the power issues at the local level in the North, and their ramifications in Bamako, constitute a central element of the current conflicts while the social and intra- and intercommunity relations have more than ever weakened over the past two years.

These different aspects could hinder or undermine the current peace process. In addition to these specific considerations related to the North of the country, leaders of sub-regional fora expressed the opinion that it was also necessary to review the voter list to incorporate some 400,000 youth who were automatically excluded by the use of the RAVEC register during the presidential ballot. Others call for the revision of the election monitoring bodies, and advocate for legislative elections for March 2014.

In this context, some argue for the establishment of a road map setting out the steps which may lead to peaceful elections in a reasonable time, while keeping space for dialogue, including on the modalities of the legislative elections.

**MINUSMA's mission to support the peace process and protect the populations**

The critical review of MINUSMA's deployment and of its future ability to implement its missions helped to raise a number of questions and lay the conditions central to the success of its missions.

Concerning its deployment on the ground, MINUSMA must take stock of its logistical weaknesses in the context of the announcement of the French forces' gradual withdrawal. If MINUSMA wants to be "a security umbrella on civilian populations ", how will it ensure this role given the logistical means, of low number of troops deployed (5,000 only of the expected 12,000. Not a single helicopter has been sent to the mission yet).

If MINUSMA brings about relative consensus on the international scene, it remains that the political voice of MINUSMA is still contingent on the political will of states that support it. What role might MINUSMA play in case of armed action contrary to international humanitarian law taken by the Malian forces?

To fully assume its role of protection of populations and of interposition if needed, but also of accompanying the ongoing political process (negotiations, dialogue, elections) and of the reform of the defense and security forces, it is necessary that MINUSMA be equipped with an adequate political, financial and military capital. This capital must ensure its ability to fulfill its missions and not to be taken in vice in case of punctual slippage of the current process.

With respect to the citizens and the Malian Government, MINUSMA needs to increase its communication on its roles and responsibilities, as well as on its capacities for concrete action in the accompaniment of Mali.

With respect to external actors, since the Malian state is not currently playing the role of coordinator of the actions undertaken by different partners (UN, EU, AU, ECOWAS, bilateral partners), this role will revert to MINUSMA, in accordance with its mandate. It must ensure that this coordination is carried out in a flexible manner and be prepared to pass on this coordination task to the Malian Government in order that it assumes at the appropriate time this sovereign responsibility.