

A Process in Search of Peace: Lessons from the Inter-Malian Agreement

ARTHUR BOUTELLIS AND MARIE-JOËLLE ZAHAR



Cover Photo: Installation of interim authorities in Kidal, Mali, February 28, 2017. MINUSMA/Ag Cheick Nasser.

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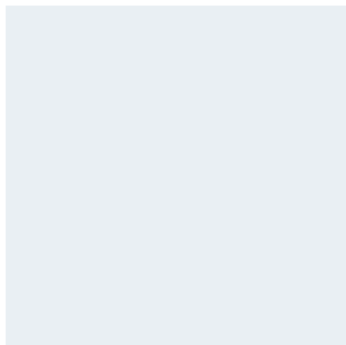
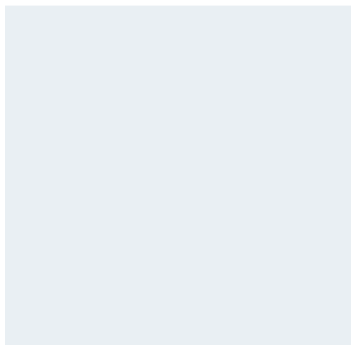
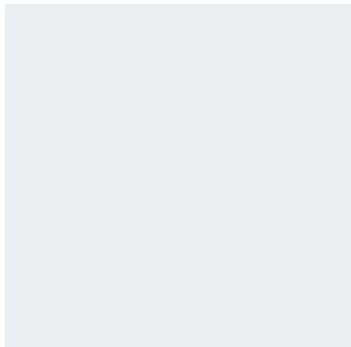
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LESSONS FOR THE UNITED NATIONS
THE WAY FORWARD: 2017 AND BEYOND

Abbreviations

AFISMA	African-led International Support Mission to Mali
AQIM	al-Qaida in the Islamic Maghreb
AU	African Union
CJA	Congress for Justice in Azawad
CMFPR	Coordination of Patriotic Movements and Forces of the Resistance
CPA	Coalition of the People for Azawad
CSA	Follow-Up Committee
CSE	Monitoring and Evaluation Committee
CTMS	Joint Technical Commission for Security
CTS	Technical Security Commission
DDR	Disarmament, demobilization, and reintegration
ECOWAS	Economic Community of West African States
EU	European Union
FLM	Macina Liberation Front
GATIA	Self-Defense Group of Imghad Tuaregs and Allies
HCUA	High Council for the Unity of Azawad
MAA	Arab Movement of Azawad
MINUSMA	UN Multidimensional Integrated Stabilization Mission in Mali
MNLA	National Movement for the Liberation of Azawad
MPSA	Popular Movement for the Salvation of Azawad
MSA	Movement for the Salvation of Azawad

Executive Summary

The Agreement for Peace and Reconciliation in Mali, resulting from the Algiers Process (hereafter the “Bamako Agreement”), signed in two stages in May 15 and June 20, 2015, was supposed to usher in a new era of peace and stability in Mali. However, not only has there been little progress in implementing the agreement, but the security situation remains volatile. This state of affairs is all the more troubling given the international community’s mobilization in support of the Malian state. Why, in spite of this international mobilization, are some warning that the peace agreement is in danger of collapse?

Any analysis of the situation in Mali must start by acknowledging that the most recent crisis was the country’s fourth rebellion, and the third to end with a negotiated agreement between the government of Mali and armed groups in the north. The legacy of these past negotiations has created a sense that agreements do not get implemented. This has fed mistrust on both sides and radicalized the armed movements. Although past negotiations have established the role of Algeria as the mediator of choice, this legacy cast a shadow over the 2014–2015 Algeria-led mediation process, whose complications gave rise to a number of the obstacles facing implementation of the Bamako Agreement.

The end of the Bamako Agreement’s two-year interim period on June 20, 2017, provides an opportunity to assess progress on its implementation. Best described as a “framework agreement,” the Bamako Agreement sketches the broad outlines of a solution while leaving much to be clarified during implementation. As a result, implementation has required intensive mediation as the parties interpret the agreement and translate it into new structures, mechanisms, and institutions. Six key issues have created challenges during this process. These challenges offer a number of lessons for UN engagement in peace processes.

1. **The government’s role in implementation:** The mediators identified the Malian state as the primary actor responsible for implementation. While the government has recently shown greater will to move ahead, particularly in the areas of security and political institutions, implementation in other areas has lagged. Moreover, the way the government has

implemented the agreement has created tensions with armed groups and contributed to the dysfunction of the follow-up mechanisms.

2. **The fragmentation and recomposition of armed groups:** Continuous realignments among armed groups have had three direct consequences for implementation. First, the international mediation team has struggled to address the challenge of new armed groups vying for inclusion in the Follow-Up Committee. Second, clashes among armed groups have allowed the government to blame the stalled implementation on insecurity. And third, fragmentation of groups has caused them to focus more on community-based or individual perks than on peace dividends.
3. **The “clanization” of the peace process:** Splits in armed groups along clan-based lines have reflected the increasing “clanization” of the conflict. Despite temporary agreements brokered at the local level, power struggles between and within clans have continued, feeding into the cycle of insecurity and contributing to stalling the implementation process. Most notably, these power struggles played out in the appointment of new interim authorities in the northern regions.
4. **“Unspoken factors” including terrorism and trafficking:** While the negotiations did not address terrorism and organized crime, these have become pressing challenges during the implementation period. With attention focused on northern Mali, terrorist groups have spread to the center of the country, and Mali has become the most dangerous theater for UN peacekeepers. The slow progress of implementation has also made it difficult to differentiate between “compliant,” “terrorist,” and “criminal” groups, and the lines between them remain blurred.
5. **The lack of peace dividends and societal buy-in:** Implementation has been slowest in the area of development, largely due to the limited presence of the state and persistent insecurity in northern Mali. This has weakened societal buy-in to the peace process among northerners. At the same time, perceived concessions made to armed groups and northerners have weakened societal buy-in in the south. Nonetheless, Malians remain generally supportive of implementation.

6. **Maintaining unity of action and purpose in the international community:** The international mediation team, which was enlarged after the signing of the agreement, actively supported implementation through guarantees and follow-up mechanisms. While the diversity of actors involved sometimes helped hammer out agreements, it also has made it difficult for the international community to maintain unity of vision and a constant level of engagement.

While implementation of the Bamako Agreement is far behind schedule, there are now some small achievements to build on. Importantly, the government of Mali has accepted that June 20th cannot be the end of the interim period, and the government and the signatory armed groups seemed to have entered into a new positive dynamic until clashes between the Platform and Coordination and affiliated clans resumed in the Kidal region in June 2017. Many remain concerned that the parties are more interested in the process than in peace itself, and there is a risk that the international mediation team may disengage from following up on implementation. Despite these concerns, implementation of the peace agreement remains the only option to avert a return to violence.

Introduction

Signed in two stages in Bamako on May 15 and June 20, 2015, the Agreement for Peace and Reconciliation in Mali, resulting from the Algiers Process (hereafter the “Bamako Agreement”) was supposed to usher in a new era of peace and stability in Mali. However, not only has there been little progress in implementing some of the key provisions of the agreement, but the security situation remains volatile. Insecurity has been spreading from northern to central Mali. Islamist groups are resurging; a new armed group, the Macina Liberation Front, has emerged in central Mali and entered into an alliance with other Malian Islamist groups—al-Qaida in the Islamic Maghreb (AQIM), Ansar Dine, and al-Mourabitoun—in March 2017. The country has become the most

dangerous theater for UN peacekeepers, who are regularly targeted and have suffered significant casualties, including since the Bamako Agreement was signed.¹

This situation is all the more troubling given the international community’s mobilization in support of the Malian state. Ever since the coup d’état in March 2012, when Malian soldiers, displeased with their government’s management of the rebellion in northern Mali, mutinied and overthrew the government of President Amadou Toumani Touré, regional and international states and organizations have come to Mali’s aid. Following the coup d’état and the resumption of widespread fighting in northern Mali, the African Union (AU) and France deployed troops to prevent the collapse of the Malian state. The United Nations, AU, Economic Community of West African States (ECOWAS), European Union (EU), and Switzerland contributed to the negotiation of the Ouagadougou Preliminary Agreement, signed on June 18, 2013. In April, the Security Council authorized the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), which deployed on July 1, 2013.

While these efforts paved the way for the reestablishment of legitimate state authorities with the election of President Ibrahim Boubacar Keïta in August 2013, they failed to resolve the crisis between Malian authorities in Bamako and armed groups in northern Mali. To address this ongoing crisis, the Algerian government spearheaded a multilateral mediation process between the government and these groups in Algiers, which resulted in the Bamako Agreement.

Why, in spite of this broad international mobilization, is the state of implementation such that the International Crisis Group has called upon the UN Security Council to “reorient [MINUSMA], whose mandate it will renew in June, to help prevent the agreement’s collapse”?² This report traces the difficulties of implementing the peace agreement by placing current events in Mali in the broader historical context of past peace processes in the country. It also examines these

1 From its establishment in June 2014 to April 30, 2017, MINUSMA suffered 117 fatalities. This high fatality count in just three years makes MINUSMA the UN’s most dangerous mission. Data from UN, available at www.un.org/en/peacekeeping/fatalities/documents/stats_3apr.pdf.

2 International Crisis Group, “Open Letter to the UN Security Council on Peacekeeping in Mali,” April 24, 2017, available at www.crisisgroup.org/africa/west-africa/mali/open-letter-un-security-council-peacekeeping-mali.

difficulties in light of the 2014–2015 Algeria-led mediation process, as a number of the obstacles to implementation are directly related to complications that arose during these negotiations. The report draws lessons from both the negotiations themselves and the two years of implementation. It analyses the impact of the mediation process on the implementation of the Bamako Agreement and the sustainability of its outcomes.

The report emphasizes a number of issues that, while discussed with specific reference to the Malian case, have broader import and hold lessons for future mediation processes. These include: the legacy of past processes on trust between the parties; the government's primary role in implementing the agreement; the fragmentation and recomposition of competing armed groups; local mediation efforts and the "clanization" of peace; the challenges posed by "unspoken" issues of terrorism and organized crime; the missing peace dividends for the people of Mali and lack of societal buy-in; and maintaining unity of action and purpose in the international community. The report concludes with some lessons for the United Nations and analyses the way forward for the implementation of key provisions of the agreement ahead of the July 2018 presidential elections.

The Shadow of Past Peace Agreements (1960s-2012)

No analysis of the current situation in Mali can gloss over the fact that the 2012 armed uprising was the fourth rebellion to end with a negotiation process and result in an agreement between the government of Mali and armed groups in the north. Since the country gained independence in 1960, there have been four waves of rebellion in the north: 1963–1964, 1990–1996, 2006–2009, and 2012–2013. The 1963–1964 rebellion was militarily defeated by a strong Malian army supported by the Soviet Union, the shadow of which has tainted relations between the north and the south ever since. All the others were followed by negotiations that resulted in a peace agreement. Thus, as noted

in a recent report, “Mali’s previous peace accords represent a useful place to begin assessing the problems that stand in the way of the emergence of a durable peace today.”³

PAST WAVES OF REBELLION

The First Wave: Repression and Exile (1963-1964)

The first rebellion began in 1963, only three years after Mali gained independence. The armed groups demanded political recognition of the specificities of northern Mali and a special status for the region. Instead, the first post-colonial regime of President Modibo Keita chose repression. The northern regions were subjected to martial law and military administration. According to one anthropologist, the brutality of the repression by the mainly southern Malian army “left painful traces in the collective memory, in particular in the region of Kidal, and fuelled deep resentment within many families in this zone who were affected by the massacres” (see Figure 1 for a map of Mali, including the northern regions).⁴

In 1968 President Keita was overthrown. Under the single-party regime of the Democratic Union of the Malian People (*Union pour la démocratie et le peuple malien*) led by General Moussa Traoré, the rebellion seemed to abate. In the mid-1970s and mid-1980s droughts pushed thousands of northerners to leave Mali. They sought refuge in Algeria and Niger, where they connected with both countries' own Tuareg rebel movements, and in Libya, where Muammar Qaddafi integrated them into the Islamic Legion, a Libyan-sponsored mercenary force.

The Second Wave: The Tamanrasset Accord and the National Pact (1990-1996)

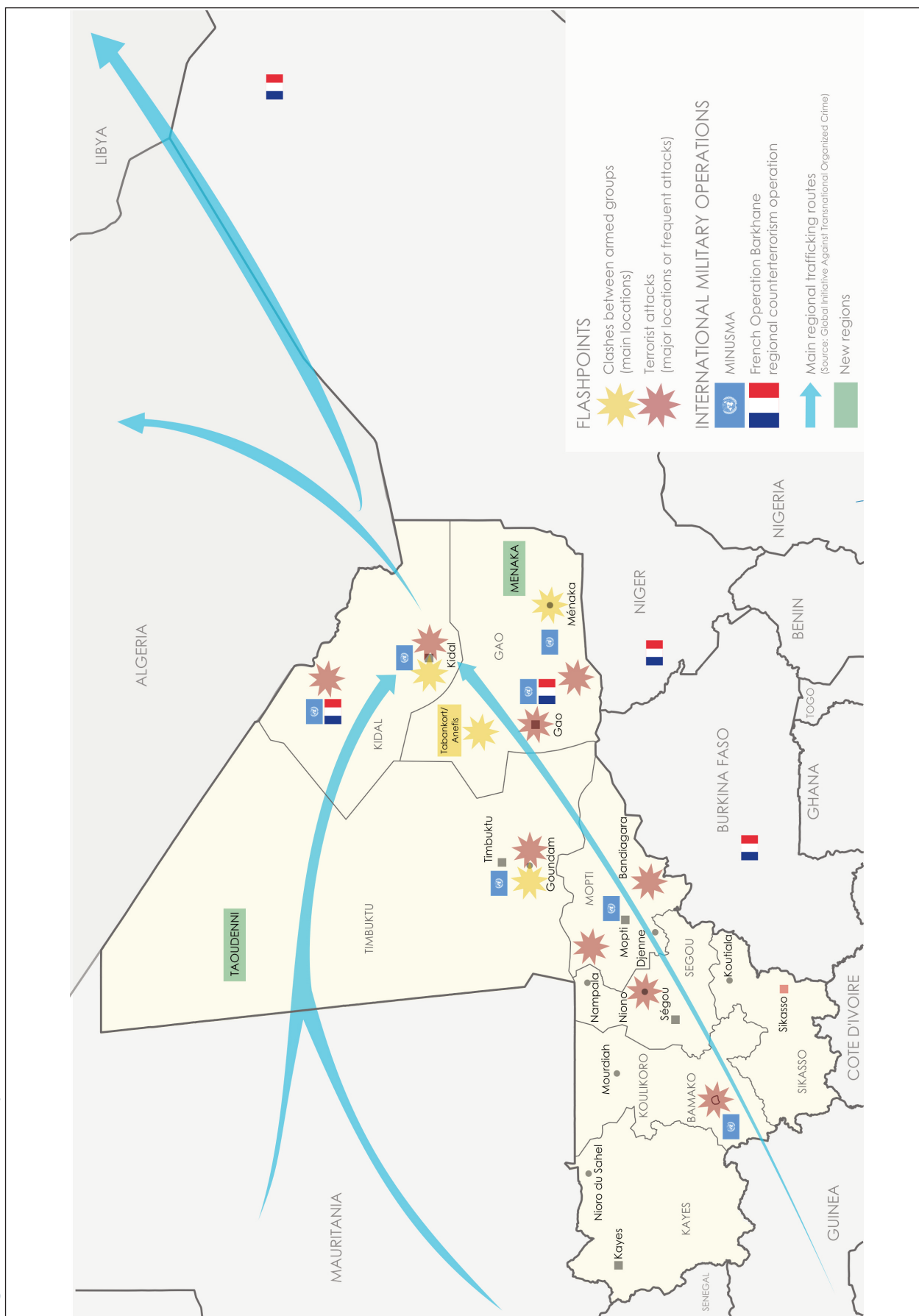
The 1990–1991 rebellion was led and fought by Tuareg and Arab exiles.⁵ Their demands echoed those of the first wave—better living conditions and recognition of a northern political identity—but they also asked that Tuaregs be allowed to integrate into the Malian army. Referring to the rebels as “highway thugs,” General Traoré once

³ Stephanie Pezard and Michael Shurkin, *Achieving Peace in Northern Mali: Past Agreements, Local Conflicts, and the Prospects for a Durable Settlement* (Santa Monica: Rand Corporation, 2015), p. 5, available at www.rand.org/content/dam/rand/pubs/research_reports/RR800/RR892/RAND_RR892.pdf.

4 Jean-Pierre Olivier de Sardan, "The 'Tuareg Question' in Mali Today," *Cahiers du Mapinduzi* 3, no. 1 (2013), p. 33.

5 Two of the main leaders of the 1990 rebellion, Iyad Ag Ghali and Mohamed Ag Najem, had fought for Libya's Islamic Legion in Lebanon and Chad.

Figure 1. Political map of Mali, 2014–2017



again chose repression over negotiations. The resulting abuses have been blamed for aggravating the grievances of the north.⁶ The regime chose Algeria to mediate the crisis.

Signed on January 6, 1991, the Tamanrasset Accord that resulted from these negotiations granted the north special status, allowing northerners to manage their economic, social, and cultural affairs at the regional and local levels through elected assemblies. It allocated around 47 percent of the next development program to the northern regions and provided for their demilitarization.⁷ Kept secret because its terms were feared to be unacceptable to the south, it ultimately became moot when a popular revolution supported by the army and led by Lieutenant-Colonel Amadou Toumani Touré overthrew General Traoré on March 26, 1991.

The revolution did not improve the situation in northern Mali, as the rebellion split into four factions over diverging aspirations.⁸ The new Malian government enlisted the support of Algeria, with help from Mauritania and France, to negotiate with the rebels. Under Algerian pressure, the Tuareg and Arab rebel groups entered into an alliance (the Coordination of United Movements and Fronts of Azawad) in order to negotiate. On April 11, 1992, they signed a National Pact (*Pacte national*) intended to reset the relationship between southern and northern Mali.⁹ The pact provided some of the same concessions as the Tamanrasset Accord: special status for the north, the withdrawal of the Malian armed forces from the north, integration of rebels into the Malian army, an ambitious development program, and deepened decentralization extending to the entire country.¹⁰ In exchange, the rebels agreed to give up

their calls for the independence of Azawad.

The Malian authorities proved unable to mobilize sufficient support for the agreement in the south or to rally all the northern clans around it. Almost 2,500 former combatants were integrated into the army and administration, and 9,500 were provided financial subsidies—numbers “perceived as too small in the north and too large...in the south.”¹¹ Divisions in the north and the slow pace of political and economic reform triggered new tensions.

The Third Wave: The Algiers Accord and Its Aftermath (2006–2009)

When violence resumed in northern Mali in 2006, it resulted once again from the now familiar explosive mix of northern grievances and inappropriate southern responses. Since 1996, northern Mali had continued to lag behind the south in terms of development,¹² while southerners continued to distrust northerners, who they felt were being rewarded for taking up weapons. The Malian government, for its part, failed to implement the promises made in 1992, which, according to two experts “deepened national divisions and the rift between the northern and southern territories.”¹³ Things worsened in 2002 with the election of President Amadou Toumani Touré.

In May 2006, as the Malian military withdrew from the north, fighters united under the banner of the Alliance for Democracy and Change under the leadership of Iyad Ag Ghali, Ibrahim Ag Bahanga, and Hassan Ag Fagaga took control of the cities of Kidal and Ménaka. Once again, Algeria offered to lead a mediation process. The resulting Algiers Accord, signed on July 4, 2006, granted northern

6 Grégory Chauzal and Thibault van Damme, “The Roots of Mali’s Conflict: Moving beyond the 2012 Crisis,” Netherlands Institute of International Relations Clingendael, March 2015, p. 31, available at www.clingendael.nl/sites/default/files/The_roots_of_Malis_conflict.pdf.

7 Accord sur la cessation des hostilités, Tamanrasset, Algeria, January 6, 1991. Full text (in French) available at www.unesco.org/culture/fr/indigenous/Dvd/pj/TOUAREG/TouaregC4_2.pdf.

8 These four factions were: the Popular Movement for the Liberation of Azawad, the main group active during the rebellion (composed of the dominant Ifoghas clans and led by Iyad Ag Ghali); the Revolutionary Liberation Army of Azawad (composed mainly of Tuaregs from the Taghat Melett, Idnan, and Imghad clans); the Popular Liberation Front of Azawad (composed of the Chaman-Amas clan); and the Arab Islamic Front of Azawad (composed of Mali’s Arab minority). Chauzal and van Damme, “The Roots of Mali’s Conflict,” p. 32.

9 Pacte national conclu entre le gouvernement de la République du Mali et les mouvements et Fronts Unifiés de l’Azawad consacrant le statut particulier du nord au Mali, Bamako, Mali, April 11, 1992. Full text (in French) available at <http://peacemaker.un.org/mali-pacte-reconciliation-nationale92>.

10 The number of communes (administrative units) increased from 19 to 703, the first communal elections were held in 1998, and a third administrative region was created in northern Mali around Kidal. Some economic and security powers were devolved from the national government to newly created local and regional assemblies.

11 Pezard and Shurkin, *Achieving Peace in Northern Mali*, p. xiii.

12 For a good overview of inequalities between northern and southern Mali, see Macartan Humphreys and Habaye Ag Mohamed, “Senegal and Mali,” January 2003, available at www.columbia.edu/~mh2245/papers1/sen_mali.pdf.

13 Chauzal and van Damme, “The Roots of Mali’s Conflict,” p. 32.

Mali further political autonomy and more development funds.¹⁴ Like its predecessors, few of its provisions were ever implemented.

The Algiers Accord was rejected by several Malian political parties, including the Rally for Mali party (*Rassemblement pour le Mali*) headed by Ibrahim Boubacar Keïta, which considered the agreement a weak and inappropriate political solution to a security problem.¹⁵ Tuareg leaders from non-Ifoghas clans also refused to endorse the agreement, which they considered only beneficial to the Ifoghas community from which Iyad Ag Ghali hailed. Indeed, the Ifoghas of Kidal were overrepresented in the institutions created to monitor implementation of the agreement. Other clans, such as the Idnan and Taghat Mellet, were gradually excluded from the process.¹⁶

Criticism of President Touré's management of the rebellion also reflected suspicions that Iyad Ag Ghali's movement may have colluded with AQIM. Rumors of alleged high-level governmental complicity with traffickers and armed groups grew. Touré also fed divisions among northern communities by setting up two militias—one Tuareg and one Arab—to fight the North Mali Tuareg Alliance for Change, Ibrahim Ag Bahanga's new movement set up in opposition to Ag Ghali's leadership.¹⁷ All of these factors quickly came together to render the Algiers Accord obsolete.

Departing from his earlier approach of demilitarization of northern Mali, in 2010 President Touré attempted to address growing insecurity in the north by implementing a Special Program for Peace, Security, and Development in Northern Mali (*Programme spécial pour la paix, la sécurité et le développement du Nord Mali*). With a total budget of €48.6 million, the program was initially perceived as a historic commitment to northern populations based on the 1992 National Pact and 2006 Algiers Accord.¹⁸ However, it ended up

establishing “securitized development and governance hubs” (*pôles sécurisés de développement et de gouvernance*) with little or no local consultation. With its budget going disproportionately to security—in particular to the building of army camps—instead of development, many contested the program.¹⁹ Some analysts cite this as one of the reasons the National Movement for the Liberation of Azawad (MNLA) took up arms in January 2012.

THE LEGACY OF PAST AGREEMENTS

While the first wave of rebellion following Mali's independence was defeated militarily, the second and third were followed by negotiations that resulted in a peace agreement. The legacy of these agreements has affected each subsequent round of negotiations. In particular, it has created a sense that agreements do not get implemented, which has fed mistrust on both sides and radicalized the armed movements, contributing to increasingly uncompromising demands. It has also established Algeria as the mediator of choice in Mali's crises.

Mistrustful Parties

Perhaps the most striking feature of past agreements is their redundancy.²⁰ Each agreement has committed the Malian authorities to recognize the special status of the north, implement greater decentralization, reconsider Bamako's heavy-handed security approach, lessen the role and presence of the Malian armed forces in northern Mali, promote economic development, and integrate the rebels into the Malian security forces and civilian administration.

Bad faith and poor implementation are often mentioned as two of the main reasons for the failure of previous peace agreements. An Arab leader in Mali described the problem as follows: “Peace didn't hold in the past because it's like in a marriage. There will be problems, but, so long as they work at it, they'll be fine. The problem is that,

14 Accord d'Alger pour la restauration de la paix, de la sécurité et du développement dans la région de Kidal, Algiers, Algeria, July 4, 2006. Full text (in French) available at <http://peacemaker.un.org/mali-accordalger2006>.

15 See Rally for Mali, “Déclaration du bureau politique national du RPM,” July 12, 2006, available at <http://ibk2007.over-blog.net/article-10089823.html>.

16 International Crisis Group, “Mali: Avoiding Escalation,” July 18, 2012, available at www.crisisgroup.org/africa/west-africa/mali/mali-avoiding-escalation.

17 Chauzal and van Damme, “The Roots of Mali's Conflict,” p. 11.

18 “Mali: ATT lance sa stratégie anti-Aqmi de développement du nord,” *Jeune Afrique*, August 10, 2011, available at www.jeuneafrique.com/179914/politique/mali-att-lance-sa-strategie-anti-aqmi-de-d-developpement-du-nord/. See also interview with the coordinator of the program, Mohamed Ag Erlaf, “Nord du Mali: Concilier développement et sécurité,” *Marchés Africains*, 2011, available at [http://marchesafricains.fr/articles/13561/mohamed-ag-erlaf-directeur-general-de-l%E2%80%99anict-et-coordonateur-du-pspsdn-\(interview\)](http://marchesafricains.fr/articles/13561/mohamed-ag-erlaf-directeur-general-de-l%E2%80%99anict-et-coordonateur-du-pspsdn-(interview)).

19 Chauzal and van Damme, “The Roots of Mali's Conflict,” p. 50.

20 Pezard and Shurkin, *Achieving Peace in Northern Mali*, pp. 7, 23–43.

with Mali, one of the partners had no interest in making things work.”²¹ This is a common perception that can be traced back to what has been described as “Bamako’s fundamental failure to establish legitimacy among many northerners.”²²

Since independence, Malian national identity has been built around the Bambara and other Mande ethnicities. In discussions with the authors, several Malian officials referred to their missions to the north as “Malian missions” as opposed to “government missions,” underlining the representation of northern Mali and its communities as “other.” At the same time, the populations of northern Mali have developed stronger commercial, cultural, and linguistic ties with Algeria and North Africa in general than with Bamako. Marginalized groups and communities in northern Mali have thus interpreted the securitized implementation of peace agreements as a mere extension of military administration and its excesses. Reflecting on the 2006 and 2015 agreements, a senior Malian civil servant of northern origin argued that, in both instances, little, if anything, was done to rebuild trust and close the growing gap between north and south. The civil servant added, “Whenever in the course of discussions [in government circles] one tries to bring back some balance, you are told that you are partial rather than nationalist.”²³

Northerners are not the only mistrustful party in Mali. The history of successive rebellions has also had a profound impact on public opinion in the south. Southerners make up approximately 80 percent of Mali’s population and, like northerners (though to a lesser degree), lack access to basic services. Many are resentful of what they have come to understand as a “premium for rebellion”—the benefits that (at least on paper) accrue to the north with every new peace agreement.

Indeed, it has been noted that “the peace agreements and economic incentives given to some combatants in order to disarm them have indirectly encouraged, in a depressed economic environment,

a rebel economy and the emergence of local entrepreneurs of violence.”²⁴ This war economy has fed the historical association that southerners make between Tuaregs and insecurity “because of their long and mythicised experience of ‘rezzou,’ or raiding, against sedentary people.”²⁵

Southerners are also deeply suspicious of the exclusionary nature of the processes that have produced past peace agreements. There has historically been little public information about the peace processes and even less about the content of the peace agreements. According to one Malian civil servant, rumors abounded in southern Mali in 2015, as they had in 2006, that the population was not being told the true extent of the concessions wrested by the armed groups at the negotiating table.²⁶ The popular saying “les vrais accords sont restés à Alger” (“the real accords were left behind in Algiers”) reflects the extent of southern distrust.

From Local Groups and Grievances to Transnational Radicalized Movements

Another legacy of the successive waves of rebellion and subsequent peace agreements is the transformation of the armed groups and the radicalization of their demands. The first wave of northern rebellions was a local affair; the rebels demanded that the authorities in Bamako recognize the specificities of northern Mali. According to one Mali expert, it was also a reaction by the leading Tuareg clans of the Kel Adagh confederation against Bamako’s policies, which sought to undermine the existing social order that gave them preeminence.²⁷

Not only was this first rebellion a limited Tuareg affair, but it was also a rebellion of noble clans that many clans did not join. Even the Tuareg spiritual leader, the *amenokal*, did not favor taking up arms, although his brother was one of the leaders of the rebellion. However, the Malian armed forces’ repression targeted Arabs and Tuaregs indiscriminately, whether they had taken up weapons or not. This contributed to the mobilization of larger

21 Ibid., p. 23.

22 Ibid., p. xv.

23 Interview with Malian civil servant, Bamako, May 9, 2017.

24 Chauzal and van Damme, “The Roots of Mali’s Conflict,” p. 19.

25 Ibid.

26 Interview with Malian civil servant, Bamako, May 9, 2017.

27 Jean Sebastian Lecocq, “That Desert Is Our Country: Tuareg Rebellions and Competing Nationalisms in Contemporary Mali (1946–1996)” (PhD dissertation, Universiteit von Amsterdam, 2002), p. 97, cited in Pezard and Shurkin, *Achieving Peace in Northern Mali*, p. 9.

swaths of the population against Bamako.

After the first rebellion, a combination of factors, including government repression, harsh drought conditions, and a lack of economic opportunities, drove many people to leave northern Mali. Some headed south and ended up in camps for internally displaced persons, others sought refuge in neighboring Algeria, Niger, or Mauritania, and others enrolled in Qaddafi's Islamic Legion. This experience radicalized many northerners, giving them what has been described as "a new identity as Malian Tuareg that, for some, was accompanied by a desire to transcend northern Mali's traditional hierarchies."²⁸

This was the background of Iyad Ag Ghali, the leader of Mali's second rebellion in 1990. While Ag Ghali hailed from a noble clan in the Kel Adagh confederation, the rebellion did not initially have a clan- or caste-centered agenda. Rather, Ag Ghali's Popular Movement for the Liberation of Azawad formulated demands that reflected the grievances and concerns of the entire community.²⁹ The rebellion also mobilized Tuaregs beyond the clans of the Kel Adagh confederation and the nobility in general.³⁰ Arab communities also joined the fight, forming the Arab Islamic Front of Azawad.

The 2006 rebellion has been described as having been triggered by a personal rivalry: the dissatisfaction of Colonel Hassan Ag Fagaga at the appointment of his rival, El Hadj Ag Gamou, as commander of the Gao garrison.³¹ Dejected, Ag Fagaga deserted and started the Alliance for Democracy and Change.³² When Ag Fagaga and Ibrahim Ag Bahanga rejected the 2006 Algiers Accord, they formed an alliance with Niger-based Tuareg groups under the banner of the Niger-Mali Tuareg Alliance for Change (*Alliance Touarègue Niger-Mali pour le Changement*). President Touré actively enlisted the support of rival Arab and

Tuareg militias to defeat this alliance, a divide-and-rule tactic that fragmented the armed groups.

Furthermore, by 2007, there were rumors that Ag Ghali, the nominal leader of the Alliance for Democracy and Change, had ties to AQIM. In 2003 the Algeria-based Salafist Group for Preaching and Combat (*Groupe salafiste pour la prédication et le combat*, later AQIM) had taken advantage of the security vacuum to enter northern Mali. Its extensive financial means allowed it to buy the support of local criminal networks and the goodwill of northern communities.³³ The organization distributed money, handed out medicine, treated the sick, and bought SIM cards for young people.³⁴ It thus attracted recruits, who were drawn to the organization by a mix of security and economic considerations. The Movement for Oneness and Jihad in West Africa (*Mouvement pour l'unicité et le jihad en Afrique de l'Ouest*, or MUJAO), an offshoot of AQIM created in 2011, followed a similar pattern.

The Road to Peace Goes through Algiers

Last but not least, Mali's history of consecutive peace agreements established the role of Algeria as the mediator of choice. Algeria's interest and involvement in security in the Sahel is prompted by a number of factors.

The Tuareg issue is also an Algerian issue, as colonial map-makers divided the Tuareg population among several different countries. Algeria recognized the rights of its own Tuareg population in the 1960s. However, it grew worried as Libya's Qaddafi instrumentalized Tuaregs in his quest for regional leadership; as one North Africa expert describes, Qaddafi encouraged "the emergence of a Tuareg [independence] movement and even the establishment of an independent Tuareg state as a way of exerting leverage over rival actors in the region, especially Algeria."³⁵ Algeria's concern for

28 Pezard and Shurkin, *Achieving Peace in Northern Mali*, p. 12.

29 Pierre Boille, *Les Touaregs Kel Adagh: Dépendances et révoltes—du Soudan français au Mali contemporain* (Paris: Karthala, 1999), cited in Pezard and Shurkin, *Achieving Peace in Northern Mali*, p. 12.

30 By 1994, the Imghad clan was clashing violently with the MPA, the successor of the Popular Movement for the Liberation of Azawad. Today, the Imghad are hostile to the MNLA and tend to be found in the ranks of GATIA. See de Sardan, "The 'Tuareg Question' in Mali Today," p. 39.

31 Ag Fagaga is a member of the noble Ifergoumessen clan in the Kel Adagh confederation, while Ag Gamou belongs to the lower-caste Imghad clan. This also illustrates clan struggles and the discomfort of upper-caste clans with the upward social mobility of members of lower-caste clans.

32 Lecocq, "That Desert Is Our Country," pp. 391–92, 400.

33 It acquired these financial means by kidnapping Westerners for ransom and trafficking drugs. See Chauzal and van Damme, "The Roots of Mali's Conflict," p. 34.

34 Morten Boås and Liv Elin Torheim, "The Trouble in Mali: Corruption, Collusion, Resistance," *Third World Quarterly* 34, no. 7 (2013), cited in Chauzal and van Damme, "The Roots of Mali's Conflict."

35 Yahia Zoubir, "Algeria and the Sahelian Imbroglia: Preventing War and Fighting Terrorism," Al Jazeera Center for Studies, November 25, 2012, p. 3, available at <http://studies.aljazeera.net/mritems/Documents/2012/11/25/2012112595728720580Algeria%20and%20the%20Sahelian%20Imbroglia.pdf>.

its own national unity and territorial integrity meant that it could not approve of Tuareg claims for autonomy or irredentism.

Ever since independence, Algeria has also opposed foreign, particularly Western, intervention in its internal affairs and regional sphere of influence. According to one analyst, since the end of the Algerian civil war in the late 1990s, Algeria has “sought to marshal a coordinated regional response to cross-border terrorism, smuggling, and other armed group activity in the Sahel’s vast and under-policed border regions.”³⁶ To this effect, it has enlisted “core” neighboring countries—Mali, Mauritania, Niger, and even Nigeria—as part of a concerted regional strategy to contain AQIM. As noted by one expert, Algeria has also “elicited the adherence of Sahel countries to a vision that focuses on the settlement of regional security problems without the involvement of foreign powers, except in sectorial cooperation.”³⁷ For example, Algeria was instrumental in the establishment of regional security organizations, including the Common Operational Joint Chiefs of Staff Committee (CEMOC) and the Fusion and Liaison Unit (UFL), which have shaped the regional fight against terrorism.

Algeria’s leadership role is recognized by regional actors.³⁸ It is also acknowledged by external powers such as the EU and US. Algerian military intelligence may, in the words of the US embassy, be a “prickly, paranoid group to work with,”³⁹ but its role in the fight against AQIM is essential. With the largest defense budget on the continent (\$10.2 billion in 2016),⁴⁰ strong military capabilities, and recognized counterterrorism expertise, Algeria plays an essential role in the US counterterrorism structure in the Sahel. Algeria’s importance in the security realm is further enhanced by bilateral defense partnerships with European countries such

as the UK and Germany, as well as by its role in the AU, where an Algerian has historically headed the Peace and Security Department of the AU Commission.

The Fourth Wave of Rebellion (2012–2014)

THE 2012 CRISIS

The 2012 crisis in Mali started with a Tuareg rebellion, the fourth since Mali’s independence in 1960 (see Figure 2 for a timeline of the crisis). In January 2012, bolstered by the return of soldiers with heavy weaponry from Qaddafi’s Islamic Legion, the National Movement for the Liberation of Azawad (*Mouvement national de liberation de l’Azawad*, or MNLA) occupied a large part of northern Mali and, on April 6th, declared the independence of this territory, which it calls “Azawad.”⁴¹ On January 17, 2012, the MNLA and Ansar Dine joined forces to attack a Malian army garrison in the town of Aguelhok in the Kidal region. The reported execution of about 100 Malian soldiers when the army garrison surrendered on January 24th after running out of ammunition was a profound shock to many Malians.⁴²

The Malian armed forces’ poor performance in fighting the rebellion triggered a coup d’état in March 2012. Over the course of two days, frustrated army officers overthrew the government of President Touré, thus bringing about the collapse of the Malian state. Although Mali had often been described as a beacon of democracy, the state had long been weakened by corruption and by Touré’s policy of “demilitarization,” his alliances with the local elites of northern Mali, and his reliance on ethnic militias in pursuit of narrow political agendas.⁴³

The occupation of northern Mali by the Tuareg

36 Alexis Arief, “Algeria and the Crisis in Mali,” Institut français des relations internationales, July 2012, available at www.ifri.org/fr/publications/editoriaux/actuelles-de-lifri/algeria-and-crisis-mali.

37 Ibid., p. 3.

38 This paragraph is based on Anouar Boukhars, “The Paranoid Neighbor: Algeria and the Conflict in Mali,” Carnegie Endowment for International Peace, October 2012, available at <http://carnegieendowment.org/2012/10/22/paranoid-neighbor-algeria-and-conflict-in-mali-pub-49756>.

39 “US Embassy Cables: Terrorists Damage Bouteflika’s Credibility,” *The Guardian*, December 6, 2010, available at www.theguardian.com/world/us-embassy-cables-documents/142554.

40 Data from Stockholm International Peace Research Institute, available at www.sipri.org/databases/milex.

41 The MNLA is a primarily ethnic Tuareg secular separatist group, which originated in October 2011 from the fusion between the pacific National Movement of Azawad (*Mouvement national de l’Azawad*) and the armed Tuareg Movement of Northern Mali (*Mouvement Touareg du Nord Mali*).

42 “Guerre au Mali: Retour sur le drame d’Aguelhok,” *Jeune Afrique*, October 21, 2013, available at www.jeuneafrique.com/167687/politique/guerre-au-mali-retour-sur-le-drame-d-aguelhok.

43 “When Touré won the 2002 election, Transparency International ranked Mali 77th of 182 countries in its corruption perceptions index; it had fallen to 118th by

MNLA was short-lived. Al-Qaida in the Islamic Maghreb (AQIM)⁴⁴ and its offshoot, the Movement for Oneness and Jihad in West Africa (MUJAO),⁴⁵ which were militarily and financially superior, quickly drove out MNLA forces, taking control of Timbuktu and Gao, respectively. Another Islamist Tuareg group, Ansar Dine, took control of Kidal.⁴⁶ Following the occupation of northern Mali by these Islamist forces, President Blaise Compaoré of Burkina Faso, who ECOWAS had appointed as its mediator in the Malian crisis in March 2012, initiated negotiations between the interim Malian government and both Ansar Dine and the now weakened MNLA. Algeria similarly attempted to have Ansar Dine dissociate itself from AQIM and MUJAO.⁴⁷ These negotiation attempts came to an abrupt end when the Islamist groups started moving south toward Sévaré and possibly Bamako.

While UN Security Council Resolution 2085 of December 20, 2012, had authorized an African-led International Support Mission to Mali (AFISMA), the rapid movement of Islamist groups south toward Bamako prompted the interim Malian government to call for French military assistance. On January 11, 2013, France launched Operation Serval, which deployed before AFISMA. The French military intervention inflicted heavy losses on the Islamists within the first few days of combat. Facing little resistance as armed groups largely vanished into northern Mali's rugged Adrar des Ifoghas and southern Libya, Operation Serval

quickly regained control of the northern towns of Gao, Timbuktu, and Kidal with support from Chadian troops deployed as part of AFISMA.⁴⁸ The weakened MNLA came out in support of the French intervention in the hope that this would help it regain control of northern Mali.⁴⁹

With the end of major combat operations, France supported the idea of deploying a UN mission to Mali. The UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) was authorized by Security Council Resolution 2100 of April 15, 2013, for deployment on July 1st. MINUSMA was mandated to support political processes in Mali and carry out a number of security-related tasks. However, achieving this mandate also required the reestablishment of the constitutional order disrupted by the March 2012 coup d'état. This would be the main objective of the Ouagadougou peace talks.

THE OUAGADOUGOU PRELIMINARY AGREEMENT

On June 18, 2013, following a two-week mediation process, the interim Malian government and two Tuareg armed groups—the MNLA and the High Council for the Unity of Azawad (*Haut conseil pour l'unité de l'Azawad*, or HCUA)⁵⁰—signed a Preliminary Agreement on the Presidential Election and Inclusive Peace Talks in Mali in Ouagadougou, Burkina Faso (see Figure 3 for an overview of the agreement's follow-up mechanisms).⁵¹ Article 24 allowed groups that did

2011. A World Bank study indicates that more than two-thirds of Malian businesses have paid bribes to win bids for government contracts." Roland Marchal, "The Coup in Mali: The Result of a Long-Term Crisis or Spillover from the Libyan Civil War?," Norwegian Peacebuilding Resource Centre, March 2012, p. 2, available at [http://noref.no/Regions/Africa/Mali/Publications/The-coup-in-Mali-the-result-of-a-long-term-crisis-or-spillover-from-the-Libyan-civil-war/\(language\)/eng-US](http://noref.no/Regions/Africa/Mali/Publications/The-coup-in-Mali-the-result-of-a-long-term-crisis-or-spillover-from-the-Libyan-civil-war/(language)/eng-US).

44 AQIM was created in January 2007 when elements of the Algerian Salafist Group for Preaching and Combat and its predecessor the Armed Islamic Group, which fought against the secular Algerian government, pledged allegiance to al-Qaida. It is organized into several zones and *katibas* (military units), with four *katibas* in the Sahel. It aims to create an Islamic state across North Africa and has used trafficking, kidnapping for ransom, and taxation to fund its terrorist activities.

45 MUJAO is a jihadist militant group that broke off from AQIM in October 2011, reportedly due to disagreement over the distribution of kidnapping revenue and the dominant position of Algerian nationals in the leadership. Unlike AQIM, the majority of MUJAO's members are Malians active in the Gao region (Tilemsi Arabs, Peulh, and Songhai). Some Mauritians and Sahrawi have also been reported to be part of MUJAO. In August 2013 MUJAO merged with Mokhtar Belmokhtar's al-Muwaqqi' un bil-Dima group to create al-Murabitoun, which claimed responsibility for the attacks on the French uranium mine in Arlit and army barracks in Agadez, Niger.

46 Ansar Dine is a militant Salafi Tuareg group that played a crucial role in the jihadist takeover of northern Mali. Iyad Ag Ghali, a former rebel leader of the Tuareg rebellions in the 1990s, created the group after he was denied the leadership of the MNLA in the 2012 rebellion. Its alliance with AQIM supplied Ansar Dine with both weaponry and combatants.

47 "Au Mali, le groupe Ansar ed-Dine se divise face aux pilonnages," *Libération*, January 24, 2013, available at www.liberation.fr/planete/2013/01/24/au-mali-le-groupe-ansar-dine-se-divise-face-aux-pilonnages_876377.

48 International Crisis Group, "Security, Dialogue and Meaningful Reform," April 11, 2013, available at www.crisisgroup.org/africa/west-africa/mali/mali-security-dialogue-and-meaningful-reform.

49 Ségolène Allemandou, "Le MNLA, un nouvel allié pour l'armée française?," *France24*, January 23, 2013, available at www.france24.com/fr/20130123-mnla-armee-francaise-mali-negociations-bamako-rebelles-touaregs-islamistes-ansar-dine.

50 HCUA was created in May 2013 out of a splinter group of Ansar Dine, the Islamic Movement of Azawad (*Mouvement islamique de l'Azawad*), itself created in January 2013. It is primarily composed of Tuareg Ifoghas (a noble clan), is based in the Kidal region, and has a strongly Islamist agenda.

51 Accord préliminaire à l'élection présidentielle et aux pourparlers inclusifs de paix au Mali, Ouagadougou, Burkina Faso, June 18, 2013. Full text (in French) available at <http://peacemaker.un.org/mali-accord-preliminaire-elections2013>.

not take part in the negotiations to adhere to the agreement, creating a precedent that would have unforeseen consequences later on. Two groups—the Arab Movement of Azawad (*Mouvement arabe de l’Azawad*, or MAA)⁵² and the self-defense militia the Coordination of Patriotic Movements and Forces of the Resistance (*Coordination des mouvements et forces patriotiques de résistance*, or CMFPR)⁵³—took advantage of this provision (see Figure 4 for an overview of the main armed groups).⁵⁴

Led by the host country Burkina Faso, whose president was the ECOWAS mediator in the Malian crisis, the Ouagadougou talks were supported by the United Nations and the African Union. Unlike previous peace agreements in Mali, the Ouagadougou Preliminary Agreement was focused on short-term objectives. It sought to achieve a cease-fire that would pave the way for presidential elections. The agreement provided for the return of public services to the north, including the government’s return to the last rebel-held stronghold of Kidal. Moreover, Article 21 stipulated that, within sixty days of assuming power, the newly elected government of Mali would enter into inclusive peace talks with the signatories and adherents to the agreement, as well as with communities from northern Mali, to reach a comprehensive and lasting solution to the tensions between the north and Bamako.

The Ouagadougou Preliminary Agreement put in place a cease-fire that made it possible for Mali to hold presidential and parliamentary elections across its entire territory in July and August 2013, including in the Kidal region, where the national radio and state-appointed governor symbolically returned in November after a failed attempt in July. Constitutional order was effectively restored with the election of Ibrahim Boubacar Keïta as president with a solid majority. However, the agreement did not address difficult issues related to the future of combatants and the administrative status of

northern regions.⁵⁵

Upon the signature of the agreement, the UN Security Council had mandated MINUSMA to support Mali’s transitional authorities in stabilizing the country and implementing the transitional road map. The agreement’s follow-up mechanisms—the Monitoring and Evaluation Committee (*Comité de suivi et d’évaluation*, or CSE) and the Joint Technical Commission for Security (*Commission technique mixte de sécurité*, or CTMS), presided over by MINUSMA’s head of mission and force commander, respectively—failed to overcome the deep mistrust between the parties. They could not achieve progress on key confidence-building measures such as the release of detainees and stopped meeting by October 2013 due to the lack of political will on both sides.

MINUSMA found itself in a difficult lead role in the follow-up to the Ouagadougou Preliminary Agreement, with a mandate to support “the implementation of the transitional road map, including the national political dialogue” while at the same time supporting “the reestablishment of State authority throughout the country.”⁵⁶ The newly elected president and government were more interested in the UN supporting the redeployment of the Malian defense and security forces, the return of the state administration to northern Mali, and the disarmament of armed movements than in peace talks. Furthermore, President Keïta and his government were keen on reaffirming the restoration of constitutional order by exercising Malian sovereignty in the implementation of the agreement. As a result, the government launched a number of initiatives, such as a national forum on decentralization (*États généraux de la décentralisation*) and a forum of northern communities (*Forum des communautés du nord*), with little if any consultation or collaboration with the other signatories or with the international guarantors of the agreement.

52 The MAA started out in April 2012 in Timbuktu from residual elements of a militia (backed by former president Touré and led by Arab Colonel Ould Meydou) that had formed in the first months of the rebellion and was made up of both Arabs and sedentary communities. It aims to protect Arab commercial interests—both legal and illegal—and communities. MAA helped AQIM enter Timbuktu out of preference over the Tuareg MNLA but later distanced itself from the jihadists. In 2013 the MAA split into two branches, the MAA-Ahmed Ould Sidi Mohamed and the MAA-Ould Sidatti, which allied with the MNLA and HCUA.

53 The mainly Songhai self-defense militia CMFPR emerged due to the absence of state authority during the rebellions in the 1990s in northern Mali as a group called Ganda Koy. It was recently reactivated alongside other smaller self-defense groups of sedentary populations in the Gao and Timbuktu regions.

54 Neither the MAA nor the CMFPR had taken part in the MNLA-led rebellion, and both were considered to be closer to the government.

55 International Crisis Group, “Mali: Reform or Relapse,” January 10, 2014, available at www.crisisgroup.org/africa/west-africa/mali/mali-reform-or-relapse.

56 UN Security Council Resolution 2100 (April 25, 2013), UN Doc. S/RES/2100.

Building on the momentum created by a visit of the Security Council from February 1 to 3, 2014, MINUSMA attempted to re-launch the political dialogue by facilitating workshops in February and March. During this visit, all Malian stakeholders reaffirmed to the council their willingness to take part in an inclusive dialogue to reach a comprehensive settlement of the crisis. Nonetheless, the attempt met with little success. Even though the only tangible outcome of the workshops was agreement on a *modus operandi* for cantonment, the armed movements continued to resist the cantonment of their troops in the absence of political negotiations. For its part, the government continued to oppose moving forward on security-focused confidence-building measures such as joint patrols and direct political negotiations with rebel groups.

THE TURNING POINT: CLASHES IN KIDAL

With a lack of progress on the political front, tensions continued to rise, culminating in clashes between the Malian defense and security forces and armed groups during a visit by Malian Prime Minister Moussa Mara to Kidal on May 17, 2014. Each side blamed the other for initiating the fighting, which led to the killing of six civil servants at the governor's office; the government called it a "declaration of war, which it has to respond to."⁵⁷ Four days later, having sent heavy weaponry and troop reinforcements to the region, Malian forces launched an assault on Kidal. However, they retreated after a few hours of fighting against the MNLA, HCUA, and affiliated armed groups, suffering thirty-three fatalities. Malian troops sought refuge at MINUSMA camps in Kidal and other cities in northern Mali.⁵⁸

This was a turning point in the peace process. Despite the brokering of a cease-fire on May 23rd, the assault on Kidal radically changed the situation—and the balance of power—on the ground. The armed movements MNLA and HCUA and their ally MAA-Coordination⁵⁹ were now in control of a large part of northern Mali from which the Malian defense and security forces and the administration had fled. The armed movements

started setting up a parallel administration in these regions, including local security committees. This led to much questioning within MINUSMA on how to work in these areas and engage with armed movements turned *de facto* authorities without legitimizing them.

Extremist groups also started to reorganize themselves and increasingly to target UN peacekeepers. MINUSMA was now the main force operating in northern Mali after the departure of Malian forces (the few Malian troops who remained in Ménaka and Tessalit after May 2014 effectively became cantoned in their camps) and the downsizing and reorganizing of French forces as part of a Sahel-wide counterterrorism strategy (with Operation Serval being replaced by Operation Barkhane).

The Algiers Negotiations (2014–2015)

This is the context in which Algeria, which had played a key role in mediating Malian crises since the 1990s, took over the peace process (see Figure 2 for a timeline of the negotiations). In January 2014, Algiers started "exploratory discussions" with the armed movements of northern Mali in an attempt to bring them together in a coherent platform ahead of negotiations with the government of Mali. These efforts intensified after the reelection of Algeria's President Abdelaziz Bouteflika in April and the clashes in Kidal in May. The efforts only partially succeeded.

Following the clashes in Kidal, the armed movements entered the first phase of negotiations as two separate groups: the Coordination of Azawad Movements (hereafter "the Coordination"), an alliance between the MNLA, HCUA, and MAA-Coordination that had existed since November 2013; and the Platform, which came into being on June 14th, bringing together the MAA-Platform, CMFPR, and the Coalition of the People for Azawad (*Coalition du peuple pour l'Azawad*, or CPA, which split from the MNLA on March 18th). The Coordination was initially the more militarily relevant force as it was composed of

57 Office of the Prime Minister of Mali, "Communiqué du Gouvernement relatif à la situation à Kidal," May 17, 2014.

58 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2014/403, June 9, 2014, paras. 4 and 5.

59 The MAA-Coordination is a splinter group from the MAA that allied with the MNLA and HCUA and is led by Sidi Brahimi Ould Sidatt.

the armed groups of northern Mali that took up arms against the government in 2012. While it claimed to represent all populations of northern Mali, it primarily included Tuaregs and Arabs, with few sedentary groups represented.⁶⁰ The Platform, composed of groups that never took up arms against the government, claimed to represent some of the Tuareg and Arab populations not represented by the Coordination, as well as the sedentary populations of central and northern Mali. At first the Platform did not have much of a military presence on the ground or a clear political agenda in the negotiations and was perceived as closer to the government.

In a declaration issued from Algiers, the government of Mali, the Coordination, and the Platform all officially recognized the Algerian government's status as chief mediator, effectively sidelining ECOWAS's previous mediation effort and, to some extent, MINUSMA. The new process also effectively dropped one of the main stipulations of the Ouagadougou Preliminary Agreement, with the cantonment of armed groups no longer a precondition for dialogue.⁶¹ But the real novelty of this process compared to past peace processes in Mali was that it involved numerous mediators with diverse interests and with different links to the various parties: the lead mediator, Foreign Minister Ramtane Lamamra of Algeria (who had served as the AU commissioner for peace and security from 2008 to 2013), invited a number of other "co-mediators," including the UN, AU, ECOWAS, EU, Organisation of Islamic Cooperation, Burkina Faso, Chad, Mauritania, Niger, and Nigeria. Apart from those international actors already involved in the implementation of the Ouagadougou Preliminary Agreement, these included neighboring countries with a stake in the outcome of the negotiations, most of which hosted their own Tuareg populations. This "college of mediators" first met in Algiers in July 2014 ahead of the opening of the first phase of the peace negotiations. The delegations of the government of Mali, the Coordination, and the Platform were composed of

about thirty persons each.⁶²

FIVE PHASES OF NEGOTIATIONS

Phase I: A Road Map for Negotiations amid Clashes on the Ground

The first phase of the inter-Malian peace negotiations lasted two weeks and concluded on July 24, 2014, with the signing of a road map (*feuille de route*), which provided a framework and guiding principles for the negotiations. The signing ceremony was a harbinger of things to come: the Coordination and Platform each signed the road map separately with the government of Mali, as the Coordination refused to recognize the movements in the Platform as real belligerents in the conflict and suggested that they should be part of the government delegation instead.

The road map enshrined the red lines set by the government of Mali, including territorial integrity, national sovereignty, unity, and secularism. This was despite resistance from the Coordination, which strongly contested the inclusion of the constitution of Mali as a fundamental reference document for the negotiations and wanted all issues to be open for negotiation. The HCUA in particular attempted to remove the reference to secularism (*laïcité*).⁶³ The MNLA's rejection of "unity" as a principle also suggested that its position on independence, federalism, or autonomy remained essential to the group's demands. While the Coordination was envisaging a long negotiation process, Algeria suggested that the negotiations should be completed within 100 days.

Although this first phase had opened with an announcement on the release of prisoners on July 14th as a confidence-building measure,⁶⁴ it was also marked by serious armed clashes on the ground, particularly in the Tabankort region. These clashes shed light on some of the underlying conflict dynamics, including economic dynamics (control of strategic geographical locations on trafficking routes), intercommunity dynamics (between Arab and Tuareg communities), and intra-community dynamics (between different castes within the Arab

60 Despite the symbolic presence of a Songhai (and ex-Ganda Koy), Mohammed Djiré Maiga, as vice president of the MNLA.

61 International Crisis Group, "Mali: Last Chance in Algiers," November 18, 2014, available at www.crisisgroup.org/africa/west-africa/mali/mali-last-chance-algiers.

62 The government and Coordination brought no more than three women each, and the Platform had an all-male delegation.

63 The HCUA's November 20, 2013, political platform called for the establishment of an Islamic state with the implementation of Sharia law.

64 Some forty-five Malian military and police captured by the Coordination after the May 2014 clashes in Kidal were released in exchange for some forty-one Tuaregs who had been imprisoned by Malian defense and security forces during various operations. Although MINUSMA had been trying to facilitate a prisoner release for some months already, this prisoner exchange was ultimately orchestrated by Algeria.

and Tuareg communities). Notably, these intra-community dynamics eventually led Tuareg Imghad clans (considered vassals under the traditional Tuareg hierarchy) to form the Self-Defense Group of Imghad Tuaregs and Allies (*Groupe d'autodéfense Touareg Imghad et alliés*, or GATIA). The clashes also underlined the porosity between armed movements, criminal groups, and terrorist groups. While the government described the clashes as between armed groups, the Coordination blamed them on Platform-affiliated groups acting as proxy militias for the government.

Following extensive informal negotiations on security facilitated by MINUSMA with the AU and Algeria (held in the evenings on the sidelines of the talks), a declaration on a cessation of hostilities was signed on May 23, 2014.⁶⁵ This declaration called for the establishment of a joint commission led by MINUSMA and comprising key representatives of the parties to the conflict. However, the UN's inability to set up an effective cease-fire monitoring mechanism at the time—owing in part to the absence of military observers within MINUSMA—limited the impact of this declaration.

Phase II: Civil Society “Hearings” and the “Federalism” Hurdle

Initial attempts by some members of the international mediation team to broaden the process and make it more inclusive had been met with resistance by the parties.⁶⁶ Nevertheless, at the request of the government, the lead mediator decided to preface the second phase of negotiations with a week of civil society “hearings.” The civil society representatives participating in these hearings were designated by the parties (the government, Coordination, and Platform each chose eighteen) and were flown in by MINUSMA. The delegations included representatives of refugees and the diaspora, traditional leaders, women, youth, and religious leaders. However, some armed groups included local political and military leaders in their delegations, while the government brought in some local elected officials. The hearings were organized around four thematic groups mirroring the organization of the actual negotiations: (1) political-

institutional issues; (2) defense and security issues; (3) economic development, social, and cultural issues; and (4) reconciliation, justice, and humanitarian issues.

The three civil society delegations initially adopted similar positions as those of the parties that designated them. However, their diagnosis of the problem and their positions progressively converged as they looked to the state to address their security problems and provide them with the basic services they all lacked. The government was unhappy with this development, having hoped the hearings would weaken the armed movements.

A disagreement over the sequencing of the talks delayed the beginning of the actual negotiations; the Coordination insisted that the talks start with political-institutional issues, while the government and the international mediation team wanted work on all four pillars to move in tandem. Moreover, the Coordination refused the presence of the Platform as a separate party to the conflict since the latter was not involved in the armed struggle against the government. In order to resolve the issue, the international mediation team established an informal high-level framework composed of the lead mediator (Lamamra), a senior AU representative (former President Pierre Buyoya of Burundi), and a senior UN representative (the head of MINUSMA, Bert Koenders). This “triumvirate” proved effective in clearing this and subsequent blockages in the process. It was ultimately decided that the four thematic groups would work simultaneously along two parallel tracks (one between the government and the Coordination and another between the government and the Platform).

It is also worth noting that the parties had very little interaction; rather than speaking to or negotiating with one another, they mostly made verbal and written proposals to the international mediation team, which would either relay them to or use their content in discussions with the other parties.

In spite of the respectful atmosphere of the meetings, clear divergences quickly emerged over

65 Accord de cessez-le-feu, Bamako, Mali, May 23, 2014. Full text (in French) available at <http://peacemaker.un.org/mali-ceasefire2014>.

66 The road map adopted at the end of the first phase limited civil society participation to fora that would take place throughout Mali to sensitize different components of Malian society on a draft accord following this second phase of the talks, as the parties themselves were not in favor of civil society participation in the actual negotiations.

the proposed institutional framework for a new Malian state. The Coordination insisted on a federal structure, including the establishment of “Azawad” as an entity in northern Mali. The government countered this with a proposal for decentralization and regionalization. The Platform, while rejecting federalism, strongly supported extensive devolution of power to the regions. Both the government and the Platform rejected the Coordination’s delimitation of “Azawad” as comprising the regions of Gao, Timbuktu, and Kidal. Importantly, the region of Mopti was not represented in the Algiers negotiations, nor were the Peulh of central Mali, only a couple of whom were in the Platform.

The positions of the parties in the other thematic groups reflected this debate over federalism versus decentralization/regionalization. The Coordination proposed the creation of autonomous defense and security forces for a federal state of Azawad (based on the model of the autonomous region of Iraqi Kurdistan), while the government encouraged the armed movements to join ongoing security sector reform efforts. The Coordination’s insistence on federalism as a starting point for discussions and the government and the Platform’s refusal to consider the idea ultimately hampered detailed engagement on other content in the thematic groups.

Despite entrenched positions, the second phase of the negotiations concluded with convergence on the need to acknowledge and factor in the particularities of northern populations and to preserve Mali’s territorial integrity and national unity (as already agreed in the road map) while transferring important powers to regional entities, including to potential new regions. The parties also agreed on the need for an interim period to implement measures immediately after signing an agreement. Some progress was also made on the need to work on urgent security measures through an enlarged Joint Technical Commission for Security (see discussion of the parallel security track below).

Phase III: A Document Begins to Emerge

The third phase of the inter-Malian peace negotiations officially opened on October 21, 2014, and marked a sudden shift into higher gear as the lead

mediator wanted to complete the process (possibly to open an inter-Libyan dialogue). The centerpiece of this phase was a document of principles (*Éléments pour un accord de paix et de réconciliation au Mali*). The lead mediator (together with the AU) prepared this document as a “compromise” synthesizing reports produced by the rapporteurs of the thematic groups at the end of the second phase. It was reviewed by the mediation team in a restricted drafting committee on October 19th and endorsed by the G5 countries (Burkina Faso, Chad, Mali, Mauritania, and Niger) at a ministerial meeting organized in Algiers prior to the launch of the third phase.⁶⁷

The document of principles sketched the broad outlines of a peace agreement. It proposed launching a “Marshall Plan” for the development of northern Mali in the form of a special development zone and giving “territorial collectivities” a broad range of powers. The mediation team received each party separately, twice to get their first impressions and subsequently to get their precise observations and commentary. The third phase was suspended on October 23rd to enable the parties to consult with their constituencies on the draft document and to prepare written reactions to submit to the mediators before reconvening to start negotiations on a draft final agreement.

Phase IV: A Draft Agreement

The atmosphere was markedly tense at the official launch of the fourth phase of the process on November 20th. The Coordination representative accused the government of lacking political will, violating the cease-fire, and using militias to incite intercommunity violence. The Coordination also announced that it had set up its own civilian administration and defense and security apparatus covering 80 percent of the “Azawad” territory under its control and that it had thus already begun implementing its proposed federal solution. The mediation team met separately with the parties to hear their reaction to the draft document of principles. The Coordination refused to back down from its proposal for federalism, which the government rejected, while also opposing a constitutional review, the creation of the Senate, and the establishment of a development zone.

⁶⁷ The G5 is an institutional framework for regional cooperation on development and security in the Sahel. It was formed during a summit in Nouakchott, Mauritania, from February 15 to 17, 2014, among five Sahel countries: Burkina Faso, Chad, Mali, Mauritania, and Niger.

For the first time since the beginning of the process, the mediation team managed to initiate direct dialogue between the parties, albeit still on two parallel tracks. While this would prove to be a positive step and a useful exercise in catharsis, the parties did not debate the core issues of the draft document, and key divisions between them were left unattended to.

Seeking to capitalize on this new dynamic, the mediation team put on the table a draft agreement (*Projet d'accord pour la paix et la réconciliation au Mali*), based on the earlier *Éléments pour un accord de paix et de réconciliation au Mali*, revised by mediation experts and intended to become an integral part of the future agreement. This proposal contained operational details, including in three new thematic annexes (on the interim period, defense and security, and economic development). A fourth annex detailing international guarantees—a strong demand of the Coordination—was also suggested. As the fourth phase wound down on November 27th, the mediators requested the leadership of the movements and the government to return to Algiers in early January 2015 to continue discussions with a view to signing an agreement by the end of that month.

Phase V: An Abrupt End to Negotiations

The launching of the fifth and final phase of the Algiers negotiations was delayed by military buildups on both sides—especially in the areas of Ber, Tabankort-Anefis, and Ansongo-Ménaka—and by the resumption of clashes in Tabankort-Anefis between elements of the Coordination and Platform (reinforced by GATIA). The Coordination accused the government of using the Platform/GATIA as proxies to reoccupy positions the Malian army had lost, in violation of the May 23rd cease-fire, while the government kept denying any link to the Platform.

In an attempt to calm the situation, MINUSMA sent a patrol to Tabankort. The move backfired, however, as the patrol got caught in the cross fire and allegedly came under rocket fire from the Coordination, leading a UN Apache helicopter to fire a rocket on Coordination fighters.⁶⁸ The newly appointed head of MINUSMA, Mongi Hamdi, then attempted to address the situation by holding

a meeting of the defunct Monitoring and Evaluation Committee established by the Ouagadougou Preliminary Agreement in Algiers. In the end, this meeting only reiterated the need to respect the existing agreement on the cessation of hostilities, including a return to the positions of the cease-fire from May 23, 2014.

The fifth phase was formally launched on February 11th following preliminary consultations with the parties and on the heels of a visit by Malian Prime Minister Modibo Keita to Algiers on February 10th. The mediators held bilateral meetings with the government, Coordination, and Platform on a revised draft agreement submitted to the parties on February 25th, which they presented as an “acceptable compromise” for everyone. The lead mediator insisted that negotiations on the document had come to an end but that initialing it would pave the way for further discussions during the implementation phase. Algeria also argued that it was urgent to initial an agreement to counter would-be spoilers in a regional context of terrorism and organized crime. While the parties seemed caught by surprise, the general view among members of the mediation team was that negotiations in Algiers needed to come to an end and that further discussions were not likely to make headway in bridging the positions of the parties.

While it eventually agreed to initial the draft agreement, the government delegation produced a twelve-page document listing a number of remaining preoccupations. In particular, the government continued to oppose a single economic zone for northern Mali, the option for regions to join together of their own volition, and any preconditions for the redeployment of the Malian army, including joint patrols and integration of ex-rebels. Foreign Minister Abdoulaye Diop also requested the removal of a reference to “Azawad” in the preamble of the document. The Platform agreed to initial the document but insisted on the inclusion of its allies—the Popular Movement for the Salvation of Azawad (*Mouvement populaire pour le salut de l’Azawad*, or MPSA) and GATIA—as signatories.

As for the Coordination, it refused to initial the agreement, which it considered not to address

68 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2015/219, March 27, 2015, para. 18.

some of its main aspirations, including the recognition of the northern territory it refers to as “Azawad” as a geographical and political entity and security arrangements within this territory. At the same time, the Coordination expressed doubts as to whether the international community could provide the necessary guarantees for implementation of the agreement and asked for additional time to consult its constituency before initialing it.

The mediators stood firm, refusing to make any further changes to the draft agreement or to allow more time for consultation ahead of the initialing ceremony on March 1st.⁶⁹ Ultimately, only the government and the Platform initialed the Agreement on Peace and Reconciliation in Mali (*Accord pour la paix et la reconciliation au Mali*) in Algiers on March 1, 2015. The government was later criticized by the political opposition and civil society in Bamako for initialing the agreement without consulting them.

As for the Coordination, it held consultations with its constituencies from March 11th to 16th, but these concluded with a rejection of the agreement in its current state and an expression of willingness to continue negotiations with the government toward a consensual agreement. Partly out of concern of being subjected to “targeted sanctions, against those who resume hostilities and violate the ceasefire,”⁷⁰ the Coordination took great care to publicly reaffirm its commitment to respecting the various cease-fires and cessation of hostilities agreements. The international mediation team, which had expanded to include new members (see below), remained categorically opposed to reopening negotiations and began applying increasing pressure on the Coordination.

THE PARALLEL SECURITY TRACK AND EVOLVING MILITARY BALANCE OF POWER

While negotiations were taking place in Algiers, security developments on the ground in Mali affected the process and obliged the mediation team to establish a parallel track to address emerging confrontations. MINUSMA, the main security actor in Mali, and the president of the Joint Technical Commission for Security established by the Ouagadougou Preliminary Agreement played

leading roles in this parallel track.

Skirmishes and heightened tension on the ground between government, Platform, and Coordination forces accompanied each phase of negotiations. Furthermore, over the course of eight months of negotiations, armed movements fragmented and alliances shifted as the relative military strength of the various groups evolved and their leaders positioned themselves in advance of the conclusion of a possible agreement (see Figure 4). MINUSMA reinforced its presence on the ground and chaired security meetings on the margins of the actual talks in an attempt to ease tensions, avoid clashes, and protect the process from the disruptive impact of security developments.

As mentioned above, during the first phase of negotiations in July 2014, tensions mounted in the Tabankort-Anefis area in the Gao region between the Platform and the Coordination. To defuse tensions, MINUSMA, the AU, and Algeria organized parallel security meetings in Algiers where they managed to bring representatives of the parties to sign a Declaration of Cessation of Hostilities. The declaration established a joint commission led by MINUSMA to consolidate the cessation of hostilities on the ground.

During the second phase, and in an effort to prevent further deterioration of the security situation, MINUSMA’s force commander organized a series of bilateral meetings with the parties. To ensure the discussions reflected the changing reality on the ground, the Joint Technical Commission for Security was enlarged to include two representatives each from the four armed movements of the Coordination and the Platform that were not yet represented (CMFPR2, CPA, GATIA, and MPSA). Representatives of the mediation team (Algeria, Chad, Mauritania, and Niger) were also added to better harmonize the security track with the political process. These changes were a major achievement, all the more so because the composition of the Joint Technical Commission for Security had been a point of contention between the parties, which was one of the reasons it had stopped meeting after October 2013.

The armed movements fragmented and recom-

⁶⁹ The US and France were invited to the ceremony as “friends of the mediation.”

⁷⁰ UN Security Council, *Statement by the President of the Security Council*, UN Doc. S/PRST/2015/5, February 6, 2015.

Figure 2a. Timeline of lead-up to Bamako Agreement

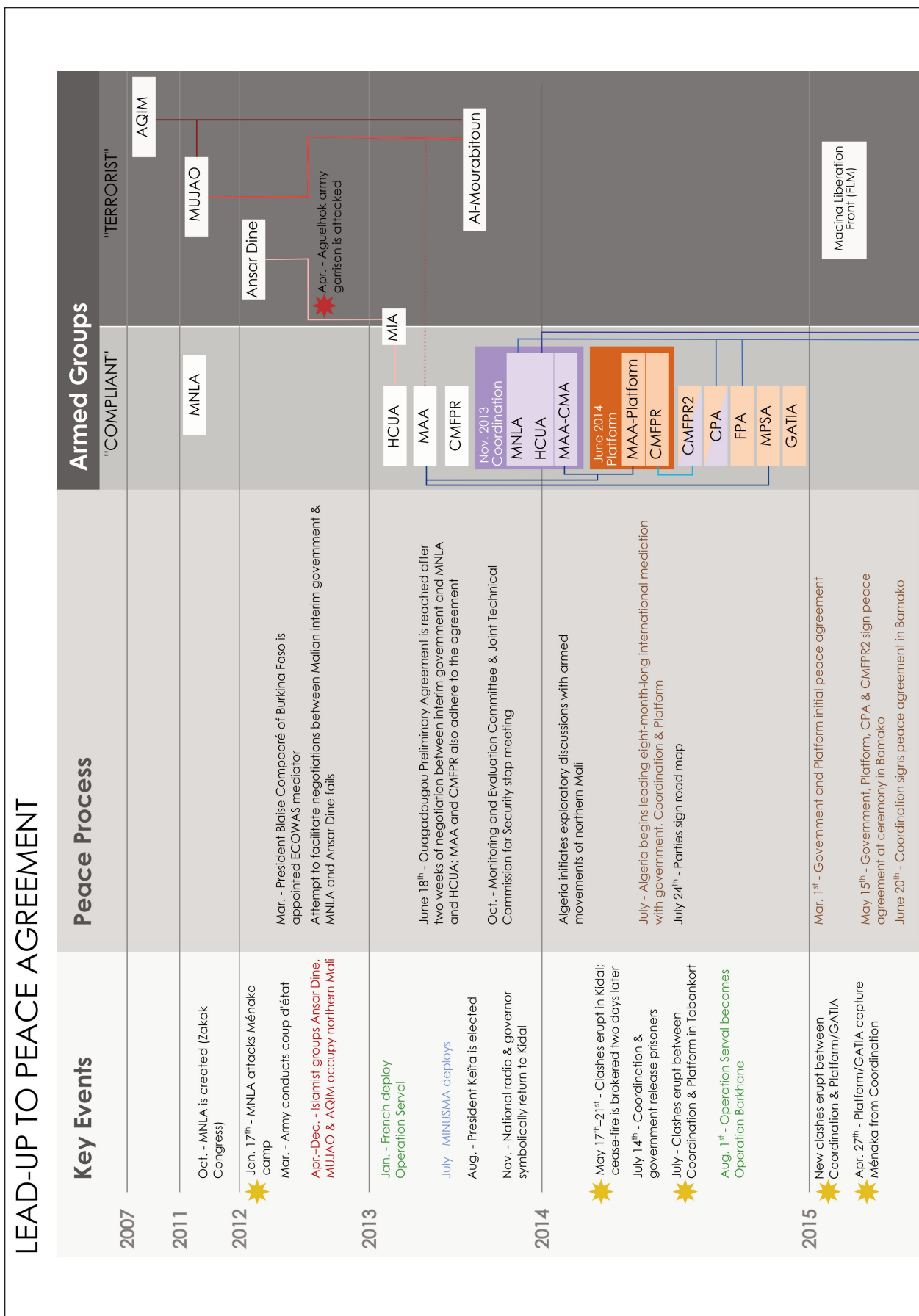
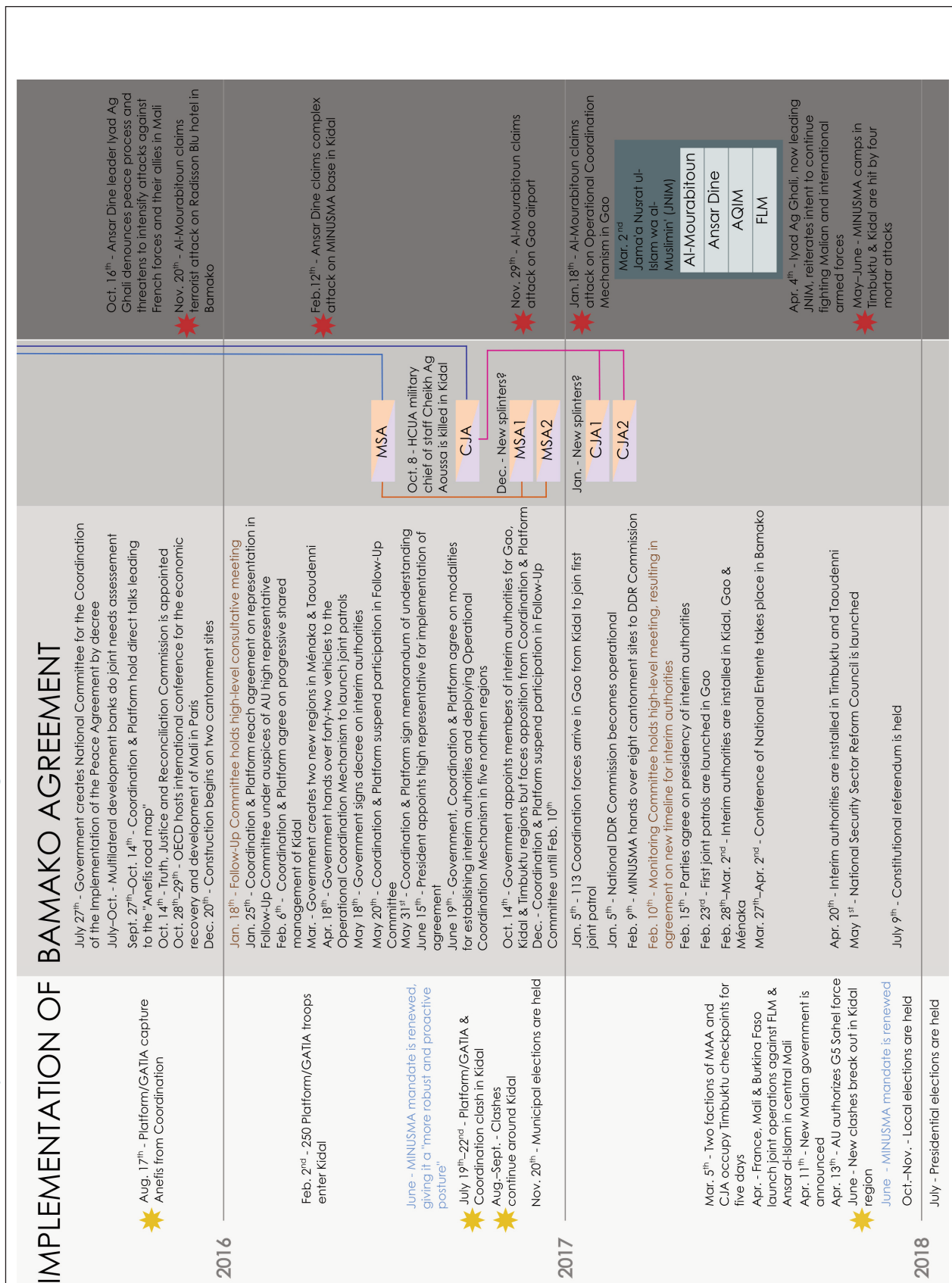


Figure 2b. Timeline of implementation of Bamako Agreement



posed many times throughout the process. For instance, part of the CMFPR allied with the Coordination (as CMFPR2) before eventually returning to the Platform in April 2015, and part of the CPA quickly rejoined the MNLA (from which it had split off in the first place). The most important development, and the one with the greatest security implications on the ground, was the formation of GATIA as a new armed group in August 2014. GATIA gave the Platform significant military strength, transforming what had until then been primarily a political force representing populations of northern Mali not represented in the Coordination, particularly from the Gao and Timbuktu regions. GATIA's military strength grew exponentially after the first clashes in the Tabankort region, and it soon displaced the well-funded MAA-Platform to become the Platform's main military force.

GATIA openly supports the government, and although it has formally allied with the Platform, the Coordination considers it a proxy militia under the direct orders of Malian General El Hadj Ag Gamou. For its part, the government of Mali has always denied any links to the Platform groups, which it describes as "vigilante groups...formed by the communities concerned in order to protect their land."⁷¹ While the international mediation team decided not to recognize any of these "new groups" (to avoid encouraging the creation of more), Article 67 of the agreement specifies that the Coordination and Platform are understood to include all their members at the time of signature.

The participation of two groups of armed movements in addition to the government, as well as the military strengthening of the Platform through GATIA, may have ultimately made confrontation inevitable as the parties sought to "test" the new balance of military power on the ground.⁷² Indeed, GATIA and MAA-Platform attacked the Coordination, which had just publicly reaffirmed its intention to initial the agreement (see below), in the town of Ménaka on April 27, 2015, just a few weeks ahead of the signing

ceremony. This led to a breakdown of the cease-fire, with the Coordination launching retaliatory attacks against Malian army positions in the Timbuktu and Gao regions. The ensuing fighting around Ménaka resulted in many casualties on both sides, reportedly including members of prominent Tuareg families. Ultimately, this did not derail the peace process, but it may have put additional pressure on the Coordination, which was losing ground, to sign the agreement.

AN AGREEMENT SIGNED IN TWO STAGES AND UNDER DURESS

Following consultations with the Coordination in Algiers from April 15 to 18, 2015, the Algeria-led mediation team issued a communiqué inviting all parties to the inter-Malian dialogue to sign the peace agreement at a ceremony in Bamako on May 15, 2015. Meanwhile, addressing the Security Council on April 9th, Mali's foreign minister made clear his government's position that "negotiations are over" and the Malian government was moving forward with implementation. He called on the international community to "isolate...and impose sanctions" on "radical and extremist individuals" who would not sign the agreement.⁷³

It was only under strong international pressure that the Coordination eventually initialed the agreement in Algiers on May 14, 2015, on the condition that direct discussions be held with the government of Mali to address its demands ahead of the final signing ceremony. Indeed, following the Platform's takeover of Ménaka on April 27th, the Coordination had made its adherence to the peace agreement conditional on the withdrawal of the Platform from that town.⁷⁴ It thus refused to join the signing ceremony with the government of Mali and the Platform on May 15th.

The May 15th signing ceremony was therefore held in Bamako without the Coordination (only the MNLA splinter group CPA showed up). The UN secretary-general's statement, delivered at the ceremony by Under-Secretary-General for Peacekeeping Hervé Ladsous, called for the

71 Minister of Foreign Affairs of Mali Abdoulaye Diop, speech to the UN Security Council, UN Doc. S/PV.7355, January 6, 2015.

72 International Crisis Group, "Mali: An Imposed Peace?," May 22, 2015, available at www.crisisgroup.org/africa/west-africa/mali/mali-imposed-peace.

73 Minister of Foreign Affairs of Mali Abdoulaye Diop, speech to the UN Security Council, UN Doc. S/PV.7425, April 9, 2015.

74 The Platform forces were led into Ménaka by commander Yoro Ould Daha, the former Islamic police chief of MUJAO in Gao during the 2012 Islamist occupation of northern Mali. See "Mali: Qui tient la localité de Ménaka?," Radio France Internationale, May 17, 2015, available at www.rfi.fr/afrique/20150517-mali-tient-localite-menaka-yoro-azawad-casques-bleus-groupes-armes-cma.

agreement to remain open for the signature of remaining parties and for dialogue to continue. It also warned against using the signing ceremony as a pretext for resuming military operations against non-signatory groups. This message was not well-received by the Malian president, who, in turn, accused MINUSMA of partiality, revealing what have been described as “substantial divergences with the host country on the process that should follow the signing.”⁷⁵

On June 5th, following further consultations on the modalities of implementation, the Coordination announced it would finally sign the peace agreement. This came as another agreement was made between the Coordination and the government over the withdrawal of Platform forces from Ménaka. On June 19th UN peacekeepers temporarily took over the security of the town and its population in return for the Coordination ceasing its attacks in northern Mali. On June 19th, the government of Mali also lifted arrest warrants against fifteen key Coordination leaders. Finally, on June 20th MAA-Coordination leader Sidi Brahim Ould Sidatt signed the peace agreement in Bamako on behalf of the Coordination in the presence of over 150 Coordination representatives from Kidal and the subregion.⁷⁶

Implementation of the Bamako Agreement

The end of the Bamako Agreement’s two-year interim period on June 20, 2017, provides an opportunity to assess the progress on its implementation (see Figure 2 for a timeline of the implementation; see Figure 3 for an overview of the agreement’s follow-up mechanisms). The intention of this report is not to produce an implementation “scorecard” but rather to explore the link between the difficulties encountered during the mediation process and the challenges of implementation.

This is all the more important given the nature of the Bamako Agreement. During the fourth phase of negotiations, the Algeria-led international media-

tion team decided that, no matter how long the mediation process, actual consensus between the parties could not be reached. Instead, it presented the parties with a “framework agreement.” While the agreement covered the broad outlines of the changes required to achieve a durable solution in Mali, a number of its provisions were framed in aspirational terms and left much to be clarified during implementation.⁷⁷ In other words, it was evident that the implementation phase would require intensive mediation as the parties interpreted the aspirational aspects of the agreement and translated them into new structures, mechanisms, and institutions.

In what follows, we address six key issues that created challenges in the course of this process: (1) the government’s role in implementation; (2) confrontations among armed groups and their fragmentation and recomposition; (3) the “clanization” of the peace process; (4) “unspoken factors” including terrorism and trafficking; (5) the lack of peace dividends; and (6) maintaining unity of action and purpose in the international community.

THE GOVERNMENT’S ROLE IN IMPLEMENTATION

From the moment the Bamako Agreement was signed, it was abundantly clear that the onus of implementation would fall on the Malian stakeholders (Article 2).⁷⁸ As one key member of the international mediation team admitted, however, this has not happened in practice. For example, it was the international mediation team that organized high-level ministerial meetings of the Follow-Up Committee (*Comité de suivi de l’accord*, or CSA) in Algiers on January 18, 2016, and again on February 10, 2017, to attempt to relaunch the implementation process.⁷⁹ This committee was the main structure created by the agreement to ensure follow-up and continued international involvement during implementation.

While the signatory armed groups have obligations under the agreement, the international mediation team clearly identified the Malian state

⁷⁵ International Crisis Group, “Mali: An Imposed Peace?”

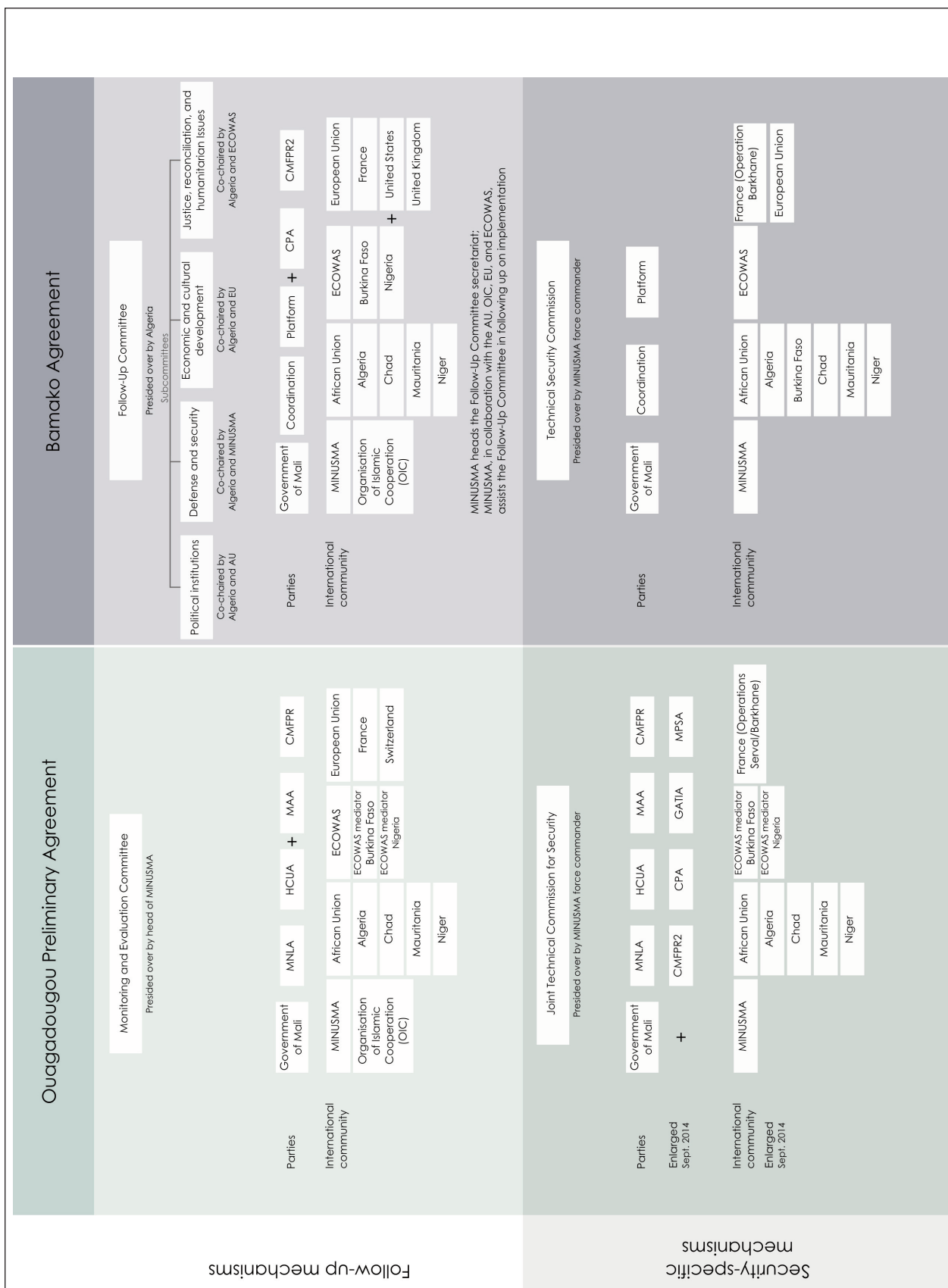
⁷⁶ Accord pour la paix et la réconciliation au Mali, Bamako, Mali, June 20, 2015. Full text (in French) available at <http://peacemaker.un.org/node/2681>.

⁷⁷ Details to be clarified during implementation included key issues such as quotas and criteria for integration of rebels into the Malian defense and security forces.

⁷⁸ Article 2: “The Parties shall implement in their entirety and in good faith, the provisions of the present Agreement, recognising their primary responsibility in this regard.”

⁷⁹ Interview with key members of the international mediation team, Bamako, February 2, 2017.

Figure 3. Implementation and follow-up mechanisms in the Ouagadougou Preliminary Agreement and Bamako Agreement



as the primary actor responsible for implementation. To this effect, Article 3 of the agreement called on Malian state institutions to take all necessary measures to adopt the regulatory, legislative, and even constitutional changes needed for implementation, in close consultation with the signatory armed groups and with the support of the Follow-Up Committee.⁸⁰ Not only was this befitting of the prerogatives and responsibilities of a sovereign government; it also seemed in line with the Malian authorities' past insistence on exercising sovereignty in the implementation of the Ouagadougou Preliminary Agreement.

Most observers agree that the implementation of the peace agreement has lagged. On February 27, 2016, President Keita and the leaders of the signatory armed groups already committed to agree on a new timeline for implementing the key institutional and security provisions of the peace agreement. In his May 2016 report on Mali, the UN secretary-general interpreted this commitment as "an acknowledgement that the challenges for the implementation of the agreement are daunting, and that progress made so far has been uneven."⁸¹

According to a foreign diplomat, the first serious indication of a will to forge ahead with implementation was the government reshuffle of April 11, 2017, which promoted former Defense Minister Abdoulaye Idrissa Maïga to prime minister. This

resulted in the activation of a consultation framework between the government and the armed groups—although not yet a permanent one.⁸² Some, however, saw the government reshuffle as primarily motivated by its preparation for the reelection of President Keita in July 2018 and as a missed opportunity to bring on board ex-rebels in a more inclusive government.⁸³

As the interim period draws to a close, it is clear that most of the focus has been on the security and institutional pillars of the Bamako Agreement, to the detriment of the justice and development pillars. In the two years since the Bamako Agreement was signed, the government of Mali has initiated a process of constitutional reform.⁸⁴ It has also installed interim authorities in Kidal, Gao, and Timbuktu, as well as in the newly created regions of Ménaka and Taoudenni, even though they are not yet fully operational.⁸⁵ According to the secretary-general's June 2017 report, just 34 percent of state officials were present in northern and central Mali—4 percent lower than in March—mainly due to persistent insecurity.⁸⁶ The much-awaited Conference of National Entente (*Conférence d'entente nationale*) was finally held from March 27 to April 2, 2017, which resulted in a number of recommendations that will inform the Charter for Peace, Unity and National Reconciliation (*Charte pour la paix, l'unité et la réconciliation nationale*) envisaged by the agreement.⁸⁷

80 Article 3: "The Malian State institutions shall take the necessary measures to adopt the regulatory, legislative and constitutional measures needed to implement the provisions of the present Agreement, in close coordination with the Parties and with the support of the Follow-Up Committee foreseen in the present Agreement."

81 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2016/498, May 31, 2016, para. 78.

82 Interview with foreign diplomat, Bamako, May 10, 2017.

83 Two personalities close to armed groups had been integrated into the July 2016 government but in their individual capacities rather than as representatives of the groups. Nina Wallet Intalou, one of a handful of women—and probably the most visible one—representing the armed groups (MNL) in the Algiers negotiations, became minister of handicrafts and tourism but was immediately disavowed by the Coordination. Mohamed el Moctar, who was close to the Platform groups, became minister of national reconciliation at the same time. In April 2017, Alhassane Ag Hamed Moussa, a Songhoi close to the Platform, became minister for decentralization and local taxation.

84 A draft law on the revision of the constitution was adopted by the Council of Ministers on March 10, 2017. According to the secretary-general's May 2017 report on Mali, "In line with the provisions of the peace agreement, the draft law includes the creation of a second chamber of the Parliament, a Senate. However, there was no mention of the integration of traditional authorities, women and youth into the high council of communities (Haut Conseil des Collectivités), the reform of which was envisaged by the peace agreement to increase inclusivity. The Government has not clarified how the proposed revisions to the constitution will reflect the institutional reforms corresponding to the recommendations of the conférence d'entente nationale, including more attention to the regions." UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2017/478, June 6, 2017, para. 12. In particular, the proposed revisions do not make any specific reference to how the Senate would include customary and traditional authorities, youth, and women—something the armed groups would like to see, as the Senate will effectively replace the High Council for Territorial Collectivities as the legislative authority. Neither does the revision guarantee that the Charter for Peace, Unity and National Reconciliation will be factored into the new constitution.

85 The government announced the extension of the mandate of these interim authorities beyond June 20th to honor their minimum six-month mandate. In Kidal, disagreements continue to block the installation of the new interim authorities.

86 Ibid., para. 5.

87 The conference recommendations "include, inter alia, the need to address governance and security issues, especially in the central regions, diversity in the country and socio-economic issues as well as to fully implement the agreement. The Coordination rejected the conclusion that the term 'Azawad' remains a sociocultural and symbolic reality, but carried no political status. A special commission in charge of drafting the charter was set up on 3 May and is expected to submit a draft to President Ibrahim Boubacar Keita by 20 June." Another special commission in charge of mapping the "terroirs" of Mali was set up in parallel to address the question of "Azawad." Ibid., para. 2. Another recommendation that was much commented on was the need to engage in dialogue with all Malians, including jihadists, in the framework of a republican secular state. See "Conférence d'entente nationale au Mali: Dialogue avec les djihadistes," Radio France Internationale, April 3, 2017, available at www.rfi.fr/afrique/20170403-mali-conference-entente-nationale-dialoguer-jihadistes.

There has also been movement on the security front with the establishment of the Operational Coordination Mechanism (*Mécanisme de coopération opérationnel*) in Gao, preparations for disarmament, demobilization, and reintegration (DDR), and the establishment of joint patrols (the first such patrol started in Gao on February 23, 2017, despite a particularly lethal attack on the Operational Coordination Mechanism on January 18th, though the joint patrols have yet to start in Timbuktu and Kidal.

There has been less progress with the Truth, Justice and Reconciliation Commission. The commission was established in 2014 with a broad mandate to investigate not only the 2012 coup d'état but also violence in the north stretching back to 1960. However, the secretary-general's December 2016 report on Mali deplored the fact that, in spite of the establishment of some regional offices for the commission, the government had made little progress on combating impunity.⁸⁸

This relatively modest progress can be attributed to a number of factors. The lack of progress on socioeconomic and cultural development (Pillar 3 of the agreement) and justice, reconciliation, and humanitarian affairs (Pillar 4) can partly be attributed to ongoing insecurity in northern Mali. As will be discussed below, it is also a function of the shadow cast by terrorism and trafficking. The prioritization of security and political institutions (Pillars 1 and 2) also reflects the greater importance given to these two areas throughout the negotiation process. Moreover, the parties to the agreement tend to understand Mali's problem through either a security lens (for the government) or a political-institutional lens (for the armed groups). These perspectives, in turn, are directly linked with the deep mistrust that mars relations between the signatory parties.

As discussed earlier, mistrust is one of the legacies of a history of failed agreements. To quote one diplomat, the parties do not believe in the agreement, and the government in particular "believes that the agreement has been imposed upon them. It has neither tried to reach a common

understanding of the text nor attempted to make it its own."⁸⁹ This recalls the objection of President Keïta and his Rally for Mali party to the 2006 Algiers Accord, which they felt misdiagnosed the problem of the north and mistakenly proposed a political solution to a military problem. As for the armed groups, they have little faith that this government is any more willing to implement the Bamako Agreement than past governments were to implement previous agreements. A representative of an armed group that participated in the negotiations thus stressed that it was essential for the groups to see promises made at the negotiating table—particularly on institutional reforms—reflected in the text of the new constitution.⁹⁰ The fact that the Bamako Agreement resulted from a heavily mediated process in which the parties seldom talked face-to-face, relying instead on discussions with third-party mediators, only compounded the mistrust.

The difficulties of implementation do not reside only in the substance of the agreement or in the extent to which it has been implemented; they also reside in the manner in which implementation has been carried out. Of particular concern are the sequencing of implementation priorities and the degree of consultation, which was explicitly mandated in Article 3 of the agreement. Government officials highlighted a number of their priorities, chief among which was the deployment of the state and its armed forces to the north. One official talked about the need to "occupy the space" to prevent internal and external enemies from filling the void.⁹¹

The government's attempts to forge ahead with some of its priorities have resulted in tensions. One notable crisis was triggered in October 2016 when President Keïta promulgated a law paving the way for local elections in line with the electoral calendar that the government had announced in the middle of 2016. The signatory armed groups contested the move because the peace agreement provides that the establishment of interim authorities should precede elections.⁹² In spite of efforts by the

88 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2016/1137, December 15, 2016, para. 71.

89 Interview with foreign diplomat, Bamako, May 10, 2017.

90 Interview with representative of an armed group, Bamako, May 9, 2017.

91 Interview with government official, Bamako, May 12, 2017.

92 For its part, the government held that the constitution precluded further deferment of the local elections, which had already been postponed four times since 2009. UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2016/1137, December 15, 2016, paras. 7–9.

international mediation team to reach a compromise solution, voting was held on November 20th in 92 percent of the country's 703 municipalities. However, voting did not take place in 43 municipalities in the north and center of the country, including Kidal, due to "security incidents and obstruction by armed individuals, including members of signatory armed groups."⁹³ The absence of the administration in certain localities also makes voting fraud likely. In a statement on November 21st, the Coordination rejected the legitimacy of the election results.

Further, as had been the case during the implementation of the Ouagadougou Preliminary Agreement, the armed groups have repeatedly accused the government of acting unilaterally and trying to impose measures as *faits accomplis*.⁹⁴ For example, when the government appointed the interim authorities of the regional territorial collectivities of northern Mali on October 14, 2016, both the Coordination and the Platform opposed the move as unilateral. Similarly, in February 2017 the government appointed the new governor of the Kidal region—an individual allegedly close to GATIA—the day before the inauguration ceremony of the Kidal interim authorities, triggering objections by the Coordination and the postponement of the ceremony.⁹⁵ While the military option for returning the state to northern Mali has not been on the table since the July 2016 clashes in Kidal,⁹⁶ government officials have suggested that "international forces should be put to the service of restoring state authority without substituting for the state."⁹⁷

Another problem has been the manner in which the government has organized itself to implement the agreement. In July 2015 the government issued a decree establishing a National Committee for the Coordination of the Implementation of the Peace Agreement (*Comité national de coordination pour*

la mise en oeuvre de l'Accord de paix), which was effectively created in early 2016. Intended to coordinate across all ministries concerned, the committee has been described as "dysfunctional," weak, and not inclusive. A key member of the international mediation team attributed this dysfunction to the fact that the committee was not empowered by the president and prime minister nor given the necessary means and was "blocked by some ministers" who did not want to be coordinated.⁹⁸ A senior foreign diplomat also highlighted that some ministers were delaying implementation, confirming that there was no common government strategy to normalize the political situation.⁹⁹ However, the same diplomat noted that the situation had improved since the appointment of Mahamadou Diagouraga as high representative of the president for the implementation of the peace agreement on June 15, 2016. It must be recognized, however, that the "governance" of the implementation of the peace agreement remained vague in the agreement itself, to the point that the Coordination and Platform sometimes considered themselves the co-administrators of the implementation through the Follow-Up Committee.¹⁰⁰

Whether or not individual ministers have contributed to the dysfunction of the government's follow-up mechanisms, another disruptive trend has been the frequency of cabinet reshuffles and restructurings; since the signature of the Bamako Agreement, Mali has had no fewer than six. Of particular concern is the splitting of the competencies of the former Ministry for Territorial Administration and Decentralization between different new ministries. These reshuffles and restructurings have complicated the establishment of reliable channels of communication between the ministers and external partners providing technical and financial support to implementation. According to a Western diplomat, this was "partially to blame for governmental inertia."¹⁰¹

93 Ibid., para. 8.

94 Interview with members of armed groups, Bamako, May 11, 2017.

95 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2017/271, March 30, 2017, para. 8.

96 Interview with key member of the international mediation team, Bamako, May 11, 2017.

97 Interview with government official, Bamako, May 12, 2017.

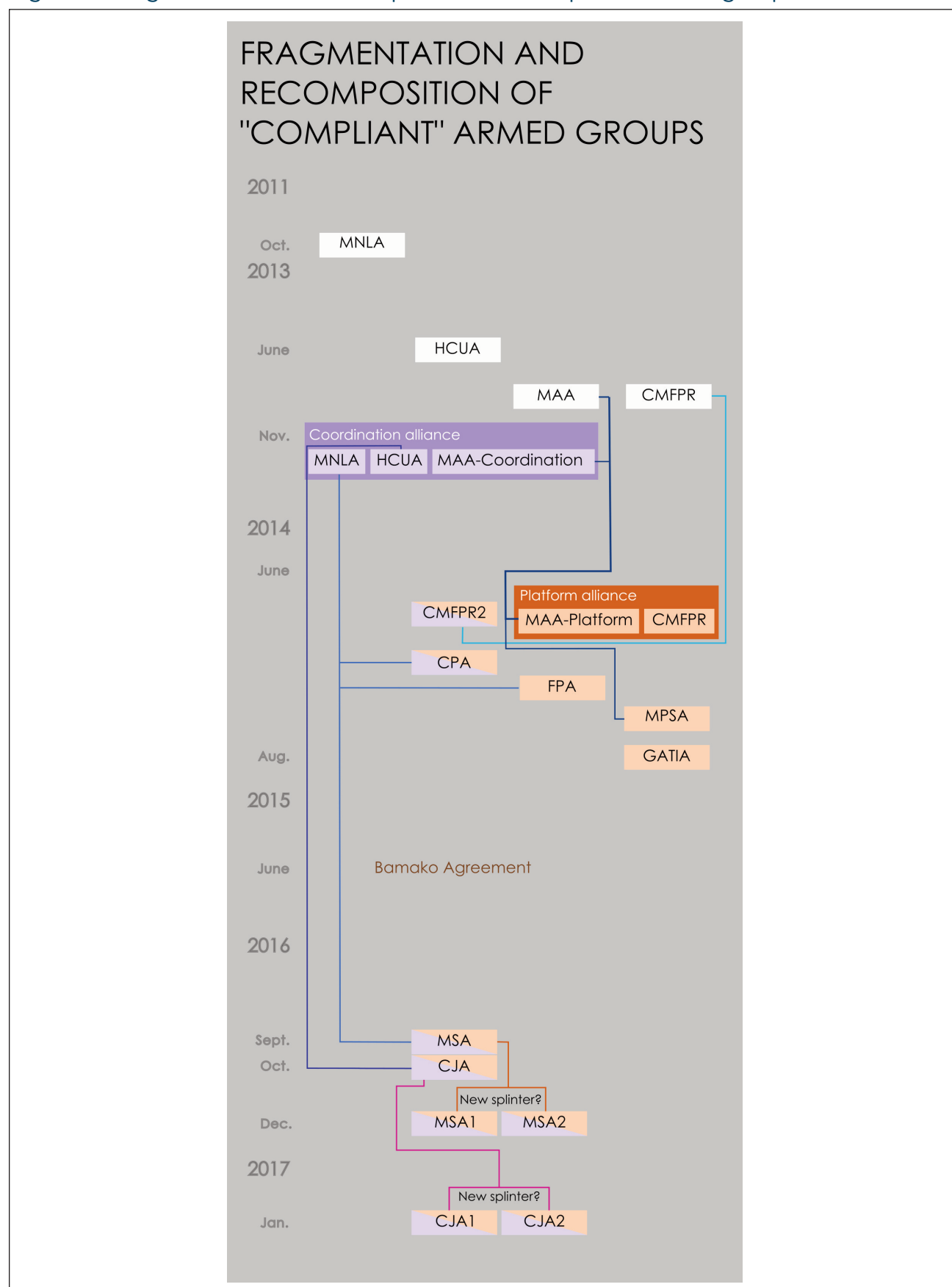
98 Interview with key member of the international mediation team, Bamako, May 11, 2017.

99 Interview with senior international envoy, Bamako, May 10, 2017.

100 Interview with international expert via phone, May 15, 2017.

101 Interview with Western diplomat, Bamako, May 10, 2017.

Figure 4. Fragmentation and recomposition of “compliant” armed groups



ARMED GROUPS AND IMPLEMENTATION: CONFRONTATION, FRAGMENTATION, AND RECOMPOSITION

As during the negotiations, the implementation of the peace agreement has been marked by ongoing confrontations among the armed groups and by their fragmentation and recomposition (see Figure 4 for an overview of the evolution of these groups). This has had three direct consequences on implementation. First, the emergence of new armed groups vying for inclusion in the Follow-Up Committee even though they are not formally signatories to the agreement has created a challenge for the international mediation team. Second, the intensification of intergroup clashes has allowed the government of Mali to distance itself from any responsibility for the ongoing security challenges and, in turn, to blame insecurity for its limited ability to implement the agreement, particularly its provisions on justice and development. Third, the fragmentation of the Coordination—and to a lesser degree of the Platform—has affected their attitude vis-à-vis implementation; rather than peace dividends, the armed groups are focusing more on community-based perks, such as seats in the National Assembly, or individual perks, such as allowances for taking part in the Follow-Up Committee and Technical Security Commission (*Commission technique de sécurité*, or CTS).

Since the signing of the Bamako Agreement, there have been two rounds of high-intensity clashes between the Coordination and Platform in strategic locations. On August 17, 2015, the Platform/GATIA attacked and wrested control of the locality of Anefis (Kidal region) away from the Coordination.¹⁰² While this was the first major post-agreement violation of the cease-fire, the clashes were largely a continuation of the war over positions in northern Mali that had started at the outset of the Algiers negotiations. In retaliation, the

Coordination established four new positions around Goundam (Timbuktu region), also in violation of the cease-fire.¹⁰³

In a potentially dangerous escalatory move, on February 2, 2016, a convoy of 250 armed GATIA fighters entered the Coordination stronghold of Kidal, but an intervention by local figures from the Coordination and the Platform and by the head of MINUSMA, Mahamat Saleh Annadif, succeeded in deescalating the situation.¹⁰⁴ However, from July 19 to 22, 2016, violent clashes erupted in the town of Kidal between the Coordination and the Platform/GATIA, leaving more than fourteen dead and eighty-nine injured. This was followed by more deadly clashes and attacks on civilian populations in the Kidal region through September.¹⁰⁵ The subsequent killing of influential Coordination leader Cheikh Ag Aoussa on October 8th in Kidal, although never explained, may have been related to these previous clashes.¹⁰⁶ According to MINUSMA, GATIA has continued to violate the cease-fire through June 2017. Attacks and retaliations resumed in May and June, to date causing thirty to fifty deaths and dozens of injuries in Imghad and Idnan communities in the region of Kidal, including within the Coordination.¹⁰⁷

As suggested earlier, the creation of GATIA in August 2014 was a game changer. It gave the Platform, which had had limited military capacity, a strong military presence on the ground. But it also raised suspicions that at least parts of the Malian government were tempted to follow in the footsteps of former President Touré, who used proxy militias to rule over northern Mali. Some in the government and army were wary of subcontracting the security of northern Mali to militias that were not fully under government control and that had their own ambitions, both personal (General El Hadj Ag Gamou) and clan-based (the Imghad clans). Government officials repeatedly

102 Platform/GATIA subsequently withdrew from Anefis in September in response to a call for appeasement by President Keïta.

103 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2016/819, September 29, 2016, paras. 19–21.

104 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2016/281, March 28, 2016.

105 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2016/819, September 29, 2016, paras. 6, 8.

106 Cheikh Ag Aoussa, a figure in the Tuareg rebellion in the 1990s after returning from Libya, had been the second-in-command to Iyad Ag Ghali of the jihadist group Ansar Dine in 2012. Following the January 2013 French military intervention in Mali, he repositioned himself within the HCUA, whose military branch he directed. Souleymane Ag Anara, "Explosion Kills Tuareg Leader outside North Mali U.N. Camp," Reuters, October 8, 2016, available at www.reuters.com/article/us-mali-violence-idUSKCN1280ZU.

107 GATIA has violated the cease-fire by looting, together with MSA, the town of Tiderme in the Ménaka region on February 10th, by ambushing Ganda-Izo combatants in the Ansongo area of the Gao region on April 22nd, and by clashing with CMFPR2 in the proximity of Arbichi in the Timbuktu region on May 2nd. UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2017/478, June 6, 2017, para. 8; Jules Crétois, "Mali: Dans la région de Kidal, 'la tension est énorme,'" *Jeune Afrique*, June 14, 2017, available at www.jeuneafrique.com/447822/politique/mali-a-kidal-tension-enerme/.

mentioned insecurity in the north when accounting for delays in implementation.¹⁰⁸ The international community, however, grew increasingly critical of government support for GATIA. In September 2016 the US ambassador to Mali called on the government to “stop all ties both public and private with GATIA,” stating that “Mali needs to assume a greater responsibility for the peace deal’s implementation.”¹⁰⁹

In the context of increasing military pressure from GATIA and possible “encouragement” by the government, the Coordination began fragmenting, a process that accelerated in September and October 2016. This particularly affected the MNLA, which splintered in two,¹¹⁰ as well as the HCUA.¹¹¹ This splintering has not only destabilized the Coordination as a whole; it has also changed the balance of forces within it: a weakened MNLA receded to the back, leaving the more religious, largely monoethnic Kel Adagh confederation (led by the Ifoghas Tuaregs, even though many Taghat Melett, Idnan, and Imghad Tuaregs as well as a few Arabs are present in the Kidal region) and Kidal-based HCUA as the main force within the Coordination. The Idnan clan has also been looking for a new leader since former MNLA military commander Mohamad Ag Najim seems to have distanced himself from his troops.

Observers have raised the possibility that this splintering was encouraged by the government of Mali, in line with its long-standing strategy to isolate and weaken the MNLA.¹¹² Because of its political stances and multiethnic composition, as well as the presence among its leaders of “less known” figures from Libya who had not participated in previous Malian rebellions, the MNLA is the most worrisome political challenger to the government.¹¹³ Interestingly, it has also been the

group most targeted by terrorist attacks during the negotiation process and implementation phase, in part because it openly collaborated with French counterterrorism forces in Operations Serval and Barkhane.

The splintering has also posed a challenge to the international mediation team. The new armed groups asked to be included in all aspects of the implementation of the Bamako Agreement, particularly the security aspects—the Operational Coordination Mechanism, joint patrols, cantonment, and DDR—but also the interim authorities. So as not to encourage the emergence of new groups, the principled position of the international mediation team has always been that these groups should join one of the existing signatory coalitions—the Coordination or the Platform—in order to benefit from the peace process.

In the midst of these dynamics of confrontation, fragmentation, and recomposition, there have also been alliances and rapprochements between the Coordination and the Platform, as had been the case during the Algiers negotiations.¹¹⁴ This reflects that, in spite of the often violent struggle between them, the two coalitions of armed groups share many grievances and aspirations. These shared grievances create the conditions for rapprochement, particularly when directed against the government. For example, both the Coordination and the Platform protested what they perceived as the unilateral move of the government to sign the decree on the interim administration on May 18, 2016. This led the two coalitions to issue common declarations that they were suspending their participation to the Follow-Up Mechanism, which in turn led to a meeting in Algiers where they forged a memorandum of understanding (*protocole d’entente*) to strengthen their coordination on

108 Interview with government officials, Bamako, May 12, 2017.

109 “US Calls on Mali Government to Sever Ties with Northern Militia,” Reuters, September 28, 2016, available at www.voanews.com/a/us-calls-on-mali-government-sever-ties-militia/3529188.html.

110 Former MNLA leader Moussa Ag Acharatoumane established the Movement for the Salvation of Azawad (*Mouvement pour le salut de l’Azawad*, or MSA) in the Ménaka region, which soon allied with the Platform/GATIA to gain control of Ménaka town. Rémi Carayol, “Mali: Le MNLA une nouvelle fois amputé,” *Jeune Afrique*, September 2, 2016, available at www.jeuneafrique.com/354373/politique/mali-mnla-nouvelle-ampute/.

111 Nasser and Colonel Al Abass created a splinter group, the Congress for Justice in Azawad (*Congrès pour la justice dans l’Azawad*, or CJA) in Timbuktu. “Coordination de la Rébellion: Que reste-t-il de la CMA?,” *MaliActu*, January 3, 2017, available at <http://maliactu.net/mali-coordination-de-la-rebellion-que-reste-t-il-de-la-cma/>.

112 Interviews with foreign diplomats, Bamako, May 10–11, 2017.

113 These figures included MNLA’s political leader, Bilal Ag Cherif, and military commander, Mohamad Ag Najim.

114 The most concrete rapprochement between the Coordination and the Platform during the Algiers negotiations was the signing on September 12, 2014, of a “Protocole d’entente” between the Coordination (MNLA, HCUA, and MAA, joined by representatives of the CMFPR2 who they brought along to Algiers), the MAA-Platform, and the CPA-Platform, which built on the earlier Ouagadougou Joint Declaration of August 28, 2014. However, the Protocole d’entente left out CMFPR and was immediately followed on September 13th by a retraction by the MAA-Platform.

security, political, and administrative matters.¹¹⁵ Another example is the “Anefis process,” the main rapprochement during the implementation phase, which resulted from direct bilateral talks between the Coordination and the Platform/GATIA as well as between clans and took place between September 27 and October 14, 2015 (see next section).¹¹⁶ These rapprochements have never lasted, in part due to the government’s divide-and-rule tactics and competing individual and group interests.

LOCAL MEDIATION, OR THE “CLANIZATION” OF PEACE

Although community and ethnic dimensions have been central to the cyclical conflicts in northern Mali, these have been largely overlooked in the inter-Malian negotiations and the resulting peace agreement. Rivalries have existed for generations among the various communities of northern Mali—Tuareg, Arab, Songhoi, Peulh, and other ethnic groups—as well as between clans within each of these groups.¹¹⁷ Most notably, the Imghad Tuaregs and Lemhar and Tilemsi Arabs have been challenging the traditional hierarchies within their ethnic groups. These clans have used the peace process as a vehicle in this struggle by creating their own armed groups (GATIA and MAA-Platform, respectively).

In the past, such struggles would have been mediated by the traditional leaders of the Ifoghas Tuareg and Kounta Arab clans (based in Kidal and Anefis, respectively), who played a key role in resolving intercommunity tensions. When both these leaders died in December 2014, their sons stepped into these roles. However, because they were closer to the armed groups within their clans, they were less likely to play such pacifying roles.¹¹⁸ Moreover, the struggle for emancipation by the Lemhars and Imghads had already started before the turn of the century, with the Lemhars challenging the Kountas and the Imghads challenging the Idnans and Ifoghas during the

1990s rebellion by integrating into central state institutions. El Hadj Ag Gamou, who had kidnapped the Ifoghas Tuareg traditional leader Amenokal Intallah Ag Attaher in February 1994, would probably not have accepted a mediation led by him.

When Algeria paved the way for the negotiations by accepting two coalitions of armed groups—the Coordination and the Platform—it could be argued that it was attempting to overcome community and clan rivalries in order to focus the process on political grievances. Indeed, most armed groups in northern Mali are dominated by one clan, with the notable exception of the MNLA, which in its early days included the widest range of clans.¹¹⁹ Even the MNLA, however, began to break down into clan-based groups. The splinter group Movement for the Salvation of Azawad (*Mouvement pour le salut de l’Azawad*, or MSA), for instance, is Ménaka-based, and there are already reports of its fragmentation into two factions representing the Daoussaks and the Chaman-Amas. These splits reflect the increasing “regionalization” and “clanization” of the conflict in northern Mali. These rivalries were not directly addressed during the negotiations or in the peace agreement, and reported (informal or secret) attempts to address them on the margins of the negotiations were unsuccessful.

So far, the Anefis process (September 27–October 14, 2015) has been the most successful attempt at what the International Crisis Group calls “peace from below”—efforts to complement a top-down peace agreement with a bottom-up process. This process sought to address “important questions concerning the north’s politico-military elite..., including issues of trafficking, power sharing, and intercommunal rivalries.”¹²⁰ The community-led process resulted in “a road map comprising a series of measures, including the cessation of hostilities, joint initiatives for intercommunal and intracommunal reconciliation, the exchange of prisoners, the establishment of

115 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2016/819, September 29, 2016.

116 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2016/1137, December 15, 2016, para. 5.

117 Tuareg clan rivalries include those among the Ifoghas, Idnans, and Imghads, as well as the Kel-Antasar, and Chaman-Amas. For the Arabs, they include those among the Kountas, Berabiche, and Lemhar.

118 “Obsèques d’Attaher Ag Intalla,” Maliweb, December 30, 2014, available at www.maliweb.net/nouvelles-brevs/obseques-dattaher-ag-intalla-718412.html.

119 The MNLA included the Ifoghas, Idnans, Chaman-Amas, Imghads, and Kel Ansar clans from the Touaregs, Daoussaks, Arab Kountas, and some Songhoi and Peulh.

120 International Crisis Group, “Mali: La paix venue d’en bas?,” December 14, 2015, available at www.crisisgroup.org/fr/africa/west-africa/mali/mali-peace-below.

interim local administrations and the free movement of people and goods.”¹²¹

Some observers drew comparisons between the Anefis process and the Bourem Accords of 1995, which were largely credited with stopping intercommunity violence that followed the signing of the 1992 National Pact. As one expert has pointed out, however, the two processes were quite different. The Bourem meeting was “initiated and relentlessly pushed forward by civilians and village chiefs who understood quickly how destructive violence was for their communities.” The Anefis process, on the other hand, “was led by armed men, whose representativeness is questionable” and who “may have local agendas but are also heavily dependent on external influences,” but on whom communities seem to be increasingly dependent.¹²²

The international mediation team largely saw the Anefis process as a business deal between traffickers (see next section) that could undermine rather than complement the Algiers process. Whatever its real purpose, the government of Mali may not have looked favorably upon such deal making between Coordination- and Platform-affiliated communities in which it was not involved (other than the presence of a minister for the opening). The UN, however, may have realized the value of such local “deals,” as UN Security Council Resolution 2295 of June 2016 mandated MINUSMA to “exercise good offices, confidence-building and facilitation at the national and local levels, in order to support dialogue with and among all stakeholders towards reconciliation and social cohesion, to support efforts to reduce intercommunal tensions.”¹²³

The Anefis road map ensured relative peace between the two coalitions of armed groups and their respective communities for some months, until tension started building up again after a February 2016 incident during which Imghad elements of GATIA challenged the Ifoghas/

Coordination domination over Kidal (see above). While the head of MINUSMA defused the incident and the government brokered a parallel agreement between the Coordination and the Platform on the joint management of Kidal on July 17th in Niamey, deadly clashes resumed two days later and continued sporadically in August and September.¹²⁴ Imghad-Ifoghas competition for control of Kidal town (and the Kidal region) invited itself into the eleventh Follow-Up Committee meeting of September 21–22, 2016, with the Coordination continuing to accuse the government of supporting GATIA and the Platform stressing “the need to address the perceived domination of Kidal by the Tuareg Ifoghas community.”¹²⁵

Intercommunity power struggles and the regionalization of conflict also played out in the installation of the interim authorities. When the government first appointed interim authorities for the Gao, Kidal, and Timbuktu regions and named the members of the transitional councils of the two new regions of Ménaka and Taoudenni, both the Coordination and the Platform opposed these as unilateral moves and insisted on assuming the presidency of the interim authorities in Kidal. The nominations were also protested by civil society organizations—especially youth groups in the Gao and Ménaka regions—and Coordination splinter groups (MSA, CPA, and CMFPR2).¹²⁶

The process of appointing the new interim authorities was accompanied by the emergence of new clan-based groups. These notably included the Timbuktu-based Congress for Justice in Azawad (*Congrès pour la Justice dans l’Azawad*), which is almost exclusively composed of Kel Antasar Tuaregs. This group later attempted to stop the installation of interim authorities in Timbuktu and Taoudenni in March 2017 by blocking entrances to the city. The installation of these authorities was also opposed by MAA (Arab) factions.¹²⁷

Ultimately, the interim authorities installed in Mali’s five northern regions between February and

121 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2016/1137, December 15, 2016, para. 5.

122 Yvan Guichaoua, “Un noeud Nord: Démêler la politique de consolidation de la paix locales au Mali,” *Peace Direct*, August 31, 2016, available at www.insightonconflict.org/fr/blog/2016/08/northern-knot-untangling-local-peacebuilding-politics-mali/.

123 UN Security Council Resolution 2295 (June 29, 2016), UN Doc. S/RES/2295.

124 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2016/819, September 29, 2016, para. 5.

125 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2016/1137, December 15, 2016, para. 3.

126 *Ibid.*, para. 4.

127 “Autorités intérimaires: Blocage à Tombouctou et Taoudénit,” *MaliActu*, March 9, 2017, available at <http://maliactu.net/mali-autorites-interimaires-blocage-a-tombouctou-et-taoudenit/>.

April 2017 reflect a division of power between armed groups, communities, and clans under the umbrella of the Coordination, which took Kidal, Timbuktu, and Taoudenni, and the Platform, which took Gao and Ménaka.¹²⁸ Regional elections scheduled for fall 2017 will effectively replace these interim authorities. Nonetheless, many fear that, short of a full return of state authority and administration to the north, the “regionalization” promoted by the peace agreement may usher in a system of governance under which the central state delegates the provision of security and basic services to certain groups.

NEGOTIATING “UNSPOKEN FACTORS”: TERRORISTS AND TRAFFICKERS

Terrorism and organized crime have sometimes been described as the “unspoken factors” in the Malian peace process. Though always present in the background of the negotiations, they were not addressed in the agreement. It was hoped that the agreement would stabilize northern Mali through political and security arrangements that would help draw a sharper line between “compliant” and “terrorist” groups and enroll the former in the fight against the latter alongside the Malian armed forces. This was envisaged to take place initially as part of joint patrols and later by integrating the rebels into a reconstituted Malian army and creating special units to combat terrorism and transnational organized crime (Article 30).

This, however, did not happen. After the signing of the peace agreement, and as attention largely focused on northern Mali, insecurity grew and spread to the center of the country, particularly the Mopti region. This resulted from a combination of what the International Crisis Group described as “banditry and a growing number of self-defence militias” and a “jihadist uprising” capitalizing on local disputes. A number of reports have emerged

that members of the Peulh ethnic group (also known as the Fulani) are being recruited by self-defense militias and “terrorist” groups like the Macina Liberation Front (*Force de libération du Macina*, or FLM, sometimes called Katiba Macina). Such groups exploit the poverty of the Peulh and their longstanding grievances with the Malian army, which failed to protect them during the 2012 crisis and has been committing abuses against Peulh populations since returning to the region.¹²⁹

Since 2015, the Malian army has been the subject of constant and deadly attacks in central Mali.¹³⁰ The government of Mali was slow to recognize the problem until March 2017, when it finally launched a program of support for enhanced security in the Mopti and Gao regions and for the management of border areas, with support from the EU.¹³¹ The president of the National DDR Commission also recently announced that three cantonment sites would be built in central Mali (Ténenkou, Douentza, and Bankass) to welcome combatants from armed groups from central Mali who are not signatories to the peace agreement.¹³²

The terrorist landscape has also evolved considerably since the signing of the peace agreement. After Ansar Dine leader Iyad Ag Ghali denounced the peace process in October 2015, a major terrorist attack targeted Bamako’s Radisson Blu hotel the following month. The number and scale of attacks on both international forces (MINUSMA and Operation Barkhane) and the Malian army have steadily increased. The attack on the Operational Coordination Mechanism in Gao on January 18, 2017, which killed more than 64 and injured about 115 members of the first joint patrol (Malian army, Coordination, and Platform) was a direct attack on the peace agreement itself. Soon after, in March 2017, the main Malian jihadist groups—AQIM, Ansar Dine, al-Mourabitoun, and the Macina

128 “Mali: Les autorités intérimaires installées dans le Nord à partir du 18 février,” *Jeune Afrique*, February 17, 2017, available at www.jeuneafrique.com/404627/politique/mali-autorites-interimaires-installees-nord-a-partir-18-fevrier/.

129 International Crisis Group, “Central Mali: An Uprising in the Making?,” July 6, 2016, available at www.crisisgroup.org/africa/west-africa/mali/central-mali-uprising-making.

130 According to the UN, “Violent extremists and terrorist elements conducted 105 attacks against the Malian defence and security forces, 76 against MINUSMA and 20 against the French forces since June 2016, compared with 84, 66 and 15, respectively, during the previous mandate period. In total, 131 members of the Malian defence and security forces were killed and 176 injured in attacks, compared with 49 killed and 33 injured in the previous mandate period. There has been a 42 per cent increase in attacks against Malian defence and security forces in the Mopti and Ségou regions.” UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2017/478, June 6, 2017, para. 17.

131 The Programme de sécurisation intégrée des régions du centre (PSIRC) supported by the EU Programme d’appui au renforcement de la sécurité dans les régions de Mopti et de Gao et à la gestion des zones frontalières.

132 “Ténenkou: Démarrage de la construction du centre du cantonnement,” MaliActu, May 5, 2017, available at <http://maliactu.net/mali-tenenkou-demarrage-de-la-construction-du-centre-de-cantonement/>.

Liberation Front—announced their fusion as Jama'a Nusrat ul-Islam wa al-Muslimin' (Group to Support Islam and Muslims). This coalition is headed by Iyad Ag Ghali, a major actor in the 1990s Tuareg rebellion, who pledged allegiance to al-Qaida.¹³³

In a context where terrorist groups operating in Mali are now primarily led by and composed of Malians, the Conference of National Entente in spring 2017 made the widely debated recommendation that the Malian government should talk to the jihadists, particularly Iyad Ag Ghali and Hamadou Kouffa, a former Peulh preacher and leader of the Macina Liberation Front. But after initially expressing openness to the idea, the government changed its position on the matter, reportedly following pressure from France. While it remains to be seen whether the jihadists themselves would be interested in such negotiations, the continued deterioration of the security situation in central and northern Mali may prompt President Keita to reconsider this option as a last resort.¹³⁴

The slow progress in the implementation of the peace agreement, in particular its defense and security provisions (joint patrols, cantonment, DDR, integration, and security sector reform), has made it difficult to differentiate between “compliant,” “terrorist,” and “criminal” armed groups. All continue to carry weapons and to move around,¹³⁵ and the lines between them remain blurred due to the fluidity in their leadership and the opportunistic calculations of fighters who join their ranks.¹³⁶ All “compliant” armed groups officially express their readiness to take part in the cantonment and DDR process. However, continued clashes between the Coordination and the Platform, the Coordination's suspicions of the government's intentions, and the presence of well-armed terrorist and criminal groups make it

unlikely any disarmament process will move forward anytime soon. Moreover, the DDR process has not yet yielded benefits such as the short-term sustenance and revenues associated with formal cantonment and long-term integration into the Malian security forces. This has made it difficult for the leadership of “compliant” armed groups to stop their forces from seeking lucrative criminal and trafficking opportunities. If implementation of the agreement's security provisions remains slow, the leaders of armed groups increasingly risk being removed or losing control of their commanders and troops in the field.

The issue of trafficking is particularly complex, and there has been increasing recognition of the seriousness of the problem. MINUSMA reported in March 2017 that “transnational organized crime and illicit trafficking provide steady income for violent extremist groups operating in Mali and targeting MINUSMA and others [and] directly interfere with peace efforts and the implementation of the peace agreement.”¹³⁷ It has also been alleged that many of the clashes between armed groups in northern Mali have been triggered by struggles for control of trafficking routes at a time when Malians on all sides of the conflict label “the others” as traffickers.

Yet four years after MINUSMA deployed, the Security Council remains unsure how to deal with the problem beyond encouraging regional cooperation on the issue. Neighboring countries that could exert leverage on traffickers have not cracked down on them. Furthermore, the dominant law-enforcement and capacity-building approaches adopted so far have not been effective. There is a need for more strategic approaches based on engagement with both the host state—which risks being penetrated by organized crime—and local communities—which need alternative livelihoods. However, such approaches are challenging in the

133 Jules Crétois, “Fusion de groupes jihadistes au Sahel, sous la bannière d'Al-Qaïda,” *Jeune Afrique*, March 2, 2017, available at www.jeuneafrique.com/408773/politique/fusion-de-groupes-jihadistes-sahel-banniere-dal-qaïda/.

134 See Alex Thurston, “Speaking with Jihadists: Mali Weighs Its Options,” *IPI Global Observatory*, May 25, 2017, available at <https://theglobalobservatory.org/2017/05/jihadism-mali-al-qaeda-france-keita/>.

135 Following clashes between the Coordination and the Platform between July and September 2016, the Technical Security Commission decided on September 30th that, as of October 17th, unless armed groups notified MINUSMA of movements of heavy weapons beforehand, the UN mission would confiscate the armaments and that movements of convoys of more than five vehicles would require prior consultation with MINUSMA. This, however, has barely been respected by the armed groups in practice, and as early as October, movements of more than twenty-five Platform vehicles were observed by MINUSMA. UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2016/1137, December 15, 2016.

136 See Arthur Boutellis, “Can the UN Stabilize Mali? Towards a UN Stabilization Doctrine,” *Stability: International Journal of Security & Development* 4, no. 1 (2015), available at <http://dx.doi.org/10.5334/sta.fz>.

137 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2017/271, March 30, 2017, para. 68.

absence of peace dividends in northern Mali (see below). Given the scale of the trafficking problem, it has been suggested that the UN mission should be given a more explicit mandate to analyze organized criminal activity and trends¹³⁸ or that a sanctions regime be put in place to help analyze cross-border trafficking.¹³⁹ Negotiated exits from criminal economies could also be explored for some of the powerful leaders of organized crime networks.¹⁴⁰

Up to now, responses to both terrorism and organized crime in Mali have been largely militarized. In addition to the existing international forces—Operation Barkhane and MINUSMA, whose mandate was made more “robust” in June 2016—a regional force of the G5 countries (Burkina Faso, Chad, Mali, Mauritania, and Niger)¹⁴¹ aimed at fighting both terrorism and human and drug trafficking has been authorized by the AU Peace and Security Council and is being considered by the UN Security Council.¹⁴² Not only will the presence of multiple forces alongside the Malian army pose operational challenges, but international and regional forces also risk being drawn into the Malian conflict and contributing to prolonging it or reducing the political space while escalating violence and radicalization in central Mali in particular. In a search for legitimacy, some armed groups—including the MSA-GATIA alliance in Ménaka—are offering their services to the French as counterterrorist forces,¹⁴³ not unlike what the MNLA did at the beginning of the French intervention in 2013. A number of experts are therefore calling for more nuanced approaches

based on human security to address the threat of organized crime and terrorism.

THE MISSING PIECES: PEACE DIVIDENDS AND SOCIETAL BUY-IN

While implementation of the Bamako Agreement has lagged behind in the institutional and security realms, implementation in the development realm has barely taken off. The African Development Bank, World Bank, Islamic Development Bank, and United Nations jointly conducted an early mission to evaluate needs in northern Mali between July and October 2015. On October 22nd, the Organisation for Economic Co-operation and Development (OECD) hosted an international conference for the economic recovery and development of Mali in Paris. This conference led to pledges of more than €600 million, of which approximately 25 percent were destined for northern Mali.¹⁴⁴ By six months later, pledges had risen to \$3.6 billion for 2015–2017, including \$722 million for the north, of which \$780 million had been disbursed, including \$177 million for the north.¹⁴⁵

In spite of such early encouraging signs, there has been no progress in taking forward the joint assessment and in operationalizing regional development plans. Although the interim period is drawing to a close, the development strategy for the northern regions has not been finalized, and the sustainable development fund envisaged in the peace agreement has not yet been operationalized.¹⁴⁶

The limited presence of the state and the persist-

138 See International Peace Institute, Security Council Report, and Stimson Center, “Applying the HIPPO Recommendations to Mali: Toward Strategic, Prioritized, and Sequenced Mandates,” May 2016, available at www.ipinst.org/2016/05/applying-hippo-recommendations-mali.

139 The UN secretary-general suggests that “in order to address the negative impact of such criminality on the peace process, it is advisable to explore ways to counter illicit activities. In the meantime, the Security Council may wish to consider expanding the mandate of the Group of Experts for the 1267/1989/2253 ISIL (Da’esh) and Al-Qaida Sanctions Committee to increase its focus on new violent extremist and terrorist groups’ activities in the Sahel with connection to Al-Qaida in the Islamic Maghreb.” UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2017/478, June 6, 2017, para. 66.

140 James Cockayne, John de Boer, and Louise Bosetti, “Going Straight: Criminal Spoilers, Gang Truces and Negotiated Transitions to Lawful Order,” United Nations University Centre for Policy Research, April 27, 2017, available at <https://cpr.unu.edu/going-straight-criminal-spoilers-gang-truces-and-negotiated-transitions-to-lawful-order.html>.

141 Jacqueline Dakouo, “G5 Sahel: Une force conjointe d’ici la fin de l’année,” *Journal du Mali*, May 8, 2017, available at www.journaldumali.com/2017/05/08/g5-sahel-force-conjointe-dici-fin-de-lannee/.

142 Colum Lynch, “Trump Weighs Vetoing France’s African Anti-Terrorism Plan,” *Foreign Policy*, June 13, 2017, available at http://foreignpolicy.com/2017/06/13/trump-weighs-vetoing-frances-african-anti-terror-plan/?utm_source=Sailthru&utm_medium=email&utm_campaign=Edpix%206-13&utm_term=%2AEditors%20Picks.

143 Jules Crétois, “Nord du Mali: Ag Gamou et Ag Acharatoumane en visite de travail à Paris,” *Jeune Afrique*, May 24, 2017, available at www.jeuneafrique.com/441394/politique/nord-mali-ag-gamou-ag-acharatoumane-visite-de-travail-a-paris/.

144 Article 37 of the peace agreement envisaged a donor conference, but it was to be held two months after the elaboration of a “specific development strategy” that would institute a sustainable development fund. The sequencing was therefore not respected, partly due to pressure from France to hold the OECD conference. Interview with development actor, Bamako, May 9, 2015.

145 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2016/498, May 31, 2016, para. 41.

146 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2017/478, June 6, 2017, para. 39.

ence of insecurity in northern Mali have also hampered progress in the area of development, including the ability of the interim authorities and regional development agencies to deliver peace dividends to the population in the north. MINUSMA has used its trust fund to kick-start joint projects with local authorities in the regions of Timbuktu, Gao, Ménaka, and Kidal under the heading of “peace dividends.”¹⁴⁷ Nonetheless, a senior foreign diplomat regretted the dearth of such dividends, acknowledging that this was a consequence not only of insecurity but also of the insistence of the armed groups to prioritize institutional and security matters in the implementation of the agreement.¹⁴⁸ The government has also always made the presence of the Malian administration and its defense and security forces preconditions for investing in basic services and development projects in a locality.¹⁴⁹ In addition, the lack of security remains a major impediment to the return of refugees.¹⁵⁰

According to one international development actor, another factor hampering progress on development is the lack of intergovernmental coordination and clear mechanisms for interacting with external technical and financial partners. Describing the work of the Follow-Up Committee’s development subcommittee, this actor said, “The subcommittee does very little. The meetings have become increasingly spaced and brief. When we look at the table of priorities, we realize that very little has been achieved.”¹⁵¹

If the lack of peace dividends and persistent insecurity weaken societal buy-in to the peace agreement in northern Mali, it is the perceived concessions made to the armed groups and to northern populations that weaken it in southern Mali, where the majority of the population lives. Southern Malians see the agreement’s provisions on development and reintegration as a “premium for rebellion”—a popular perception that has also

affected past agreements. A participant in a February 2017 ministerial meeting of the Follow-Up Committee described how this lack of societal buy-in affects the implementation process: “[The minister of the economy] refused to say that the sustainable development strategy [under discussion] was specific to northern Mali, adding that this would not go down well in the south.”¹⁵² Reportedly, key government ministers have been reluctant to move forward with any measures that would seem to give preference to regions in northern Mali, particularly Article 14 of the peace agreement, which states that the government should transfer 30 percent of its budgetary resources to territorial collectivities by 2018, with particular attention to northern regions. It is worth noting that, with the ministerial reshuffle of April 2017, the ministry in charge of reconstruction of the north has been eliminated. This has unnerved some external technical and financial partners while reassuring others who thought the previous ministry had become too powerful.

The skepticism of Mali’s northern and southern populations toward the peace process and its implementation is partly linked to the resistance of the parties to socializing their supporters and the communities they claimed to represent at the table to the substance of the Bamako Agreement. The international mediation team had already highlighted the need for the parties in Algiers to communicate with the Malian population regarding the negotiations. While MINUSMA, the US Agency for International Development (USAID), the Centre for Humanitarian Dialogue, the National Democratic Institute, the German Corporation for International Cooperation (GIZ), and various other actors have supported activities to publicize the content of the agreement in northern Mali, there have been comparatively fewer such activities reported in the south.¹⁵³

It is telling, however, that the Mali-Mètre, a

147 Interview with development actor, Bamako, May 9, 2015.

148 Interview with senior foreign diplomat, Bamako, May 10, 2017.

149 Interview with members of international mediation team, Bamako, February 3, 2017.

150 Sebastien Laroze-Barrit, “Mali Refugees Cautious about Return, despite Peace Deal,” UN Refugee Agency, July 7, 2016, available at www.unhcr.org/news/latest/2016/7/577b5dc84/mali-refugees-cautious-return-despite-peace-deal.html.

151 Interview with international development actor, Bamako, May 10, 2017.

152 Interview with participant in Follow-Up Committee ministerial meeting of February 10, 2017, Bamako, May 10, 2017.

153 MINUSMA supported several restitution workshops with women’s groups, youth groups, political parties, and other societal actors; USAID translated the document into all of Mali’s main languages; and GIZ produced a booklet summarizing the agreement in twenty questions and answers for use by the Ministry of Reconciliation.

regular and extensive public opinion poll funded by the Friedrich-Ebert-Stiftung foundation, found in December 2016 that the main sources of information on the agreement were radio (66.5 percent), television (59.8 percent), and “grins,” the local term for informal gatherings on the doorsteps of houses (29.7 percent). These sources were far ahead of MINUSMA, the government, or any of the armed groups, none of which were higher than 1.7 percent. Interestingly, two out of five Malians (42 percent) consider that implementation has not progressed, with 15 percent considering that there has been no progress whatsoever. In spite of these results, two-thirds of Malians (65 percent) express trust in the agreement’s ability to deliver peace, stability, and security.¹⁵⁴ According to one international development actor, this seemingly contradictory result may be explained by the fact that, while citizens in the south may be angry about the concessions made to the armed groups, most people who lived through 2012 remember the exodus of the sedentary populations of the north and realize the powerlessness of the state. They are therefore supportive of implementation because they see it as the only way to save Mali.¹⁵⁵

THE INTERNATIONAL COMMUNITY: MAINTAINING UNITY OF ACTION AND PURPOSE

The manner in which the Bamako Agreement was ultimately hammered out and the two-stage signing process signaled the magnitude of the challenges and the risks of reversal that lay ahead. The scope of these risks made it clear that implementation would require active external support. This was acknowledged in the UN secretary general’s September 2015 report on Mali, which called for the “comprehensive engagement and assistance of the United Nations and the international community at large.”¹⁵⁶ During the negotiations, the lack of trust between the parties and the repeated failure of past peace agreements had already led armed groups to insist on robust international guarantees and follow-up mechanisms, including an independent observer, to compel the government to do its part and assign

blame in case of ill will. These numerous international guarantees had not appeared in previous peace agreements in Mali.

As the international mediation team began to organize itself to support the implementation process, the first order of business was to establish the follow-up mechanisms foreseen by the agreement, namely the Follow-Up Committee and its technical bodies. On June 20, 2015, Algeria officially launched the Follow-Up Committee, which began its work by defining its rules of procedure and establishing timelines for the implementation of the provisions of the peace agreement.

However, the first committee meeting had to be adjourned over disagreements about the participation of splinter armed groups, as the Coordination refused to include its former members the CPA and the CMFPR2, which had participated in the first signing ceremony on May 15th alongside the Platform. The issue of the inclusion of these armed groups delayed the effective start of the committee’s work until January 25, 2016. Under the auspices of the high representative of the AU for Mali and the Sahel, former President Buyoya, the Coordination and the Platform reached an agreement to allocate the CPA and the CMFPR2 one additional seat each as “invitees” to the committee and one seat each in one of the subcommittees of their choice under the umbrella of the Coordination.¹⁵⁷

For its part, the international mediation team was enlarged to include Nigeria, France, and the US (and later the UK) as official members, thus giving them each a seat on the Follow-Up Committee. On July 21, 2015, the committee agreed that Algeria, which holds the presidency of the committee, would co-chair the four thematic subcommittees along with MINUSMA (defense and security), the AU (political institutions), ECOWAS (justice, reconciliation, and humanitarian issues), and the EU (socioeconomic and cultural development). MINUSMA, which had been made responsible for heading the committee’s secretariat alongside the AU Mission for Mali and the Sahel, EU, ECOWAS,

154 Friedrich-Ebert-Stiftung, Mali-Mètre: Enquête d’opinion ‘Que pensent les Maliens?’, November 25–December 6, 2016, pp. 40–48, available at www.fes-mali.org/images/documents/MM_8.pdf.

155 Interview with international development actor, Bamako, May 10, 2017.

156 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2016/819, September 29, 2016, para. 61.

157 Ibid., para. 5.

and Organisation of Islamic Cooperation, began preparations to establish a dedicated structure to this effect.

Beyond the formal international mediation team, a number of nongovernmental mediation organizations also contributed to the process. The Centre for Humanitarian Dialogue and Promediation have been particularly active in Mali. Although not invited to Algiers for the negotiations, they have organized negotiation trainings for the government, Coordination, and Platform (in coordination with MINUSMA), as well as related workshops with various components of Malian society. In general, members of the international mediation team have perceived the role of these NGOs as more constructive during the implementation phase, particularly in helping to resolve differences between the Coordination and the Platform. During the negotiations, they were at times perceived—rightly or wrongly—as overstepping their roles and acting as advisers to some of the parties, putting them at odds with the efforts of the international mediation team.¹⁵⁸

The Follow-Up Committee has not escaped the dysfunction of other parts of the implementation process. The parties, particularly the armed groups, have continued to misunderstand its role, expecting the committee to actively implement the agreement. To date, the government has not appointed its representatives, who were intended to sit as vice-chairs of the various subcommittees. Whenever the armed groups, particularly the Coordination, want to signal their dissatisfaction at the pace of implementation or to protest the deterioration of the security situation, they withdraw, disrupting the committee's work. As discussed earlier, it took repeated high-level committee meetings to overcome these hurdles. Another problem with the Follow-Up Committee is its secretariat, which never became functional. Instead, MINUSMA's mediation unit continues to take care of the committee's administrative tasks. Moreover, according to a number of interviewees, while the committee has held its scheduled monthly meetings, its international members have done little to follow up in between.

The Technical Security Commission, the main security follow-up mechanism mandated by the agreement, has only fared slightly better. On August 5, 2015, the force commander of MINUSMA convened the final meeting of the Joint Technical Commission for Security created by the Ouagadougou Preliminary Agreement. This commission had already been enlarged during the Algiers negotiations in September 2014, during which the parties had agreed to replace it with the Technical Security Commission. In this meeting, the parties agreed to launch the process of identifying cantonment sites and to establish the Operational Coordination Mechanism to facilitate and coordinate joint patrols. They also decided to set up a joint observation and verification team in Kidal.

From September 1st to 2nd, MINUSMA's deputy force commander convened the first meeting of the Technical Security Commission. According to one participant, there is no absenteeism in the commission because the parties feel a mutual need for security-related information. However, the various parties are not represented at a sufficiently high level to make decisions, and blockages are often simply referred to the political level in the Follow-Up Committee. For instance, the issue of inclusion emerged in security discussions when, in December 2016, the MPSA, CPA, and CMFPR2 issued a joint statement denouncing their exclusion from the interim political and security arrangements. This demand for inclusion by Coordination splinter groups delayed the operationalization of the Operational Coordination Mechanism and joint patrols. A compromise was eventually reached at the political level, whereby an additional 150 members (75 each for the Coordination and the Platform) were authorized to accommodate members of the splinter groups.¹⁵⁹

It would be tempting to simply blame the problems of the follow-up mechanisms on the lack of will of the signatory parties. However, if the agreement has lacked an effective implementation framework, part of the problem resides in the international community's difficulty in maintaining unity of vision and purpose. Since the

¹⁵⁸ Interview with international mediation actors, Bamako, May 11, 2017.

¹⁵⁹ UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2016/1137, December 15, 2016, paras. 6, 14.

negotiations in Algiers, the international mediation team has been a motley crew with different interests, capabilities, and access to and relationships with the Malian actors. This diversity was made necessary by the complexity of the 2012 Malian crisis. According to one Malian government official, “You needed more parties than Algeria to come on board and save the Sahel, but Algeria had to be there to prevent the creation of an independent state between it and Mali, even though some of the armed groups would have preferred ECOWAS to remain as the lead mediator.”¹⁶⁰ This diversity has sometimes helped hammer out agreements, as various mediation actors have leveraged their special ties with some of the negotiating parties to overcome hurdles along the way.

However, the diversity of the mediation team has also compounded the problems of implementation. While the triumvirate of Algeria, the AU, and the UN formed an effective troubleshooting mechanism at different points during the Algiers process, according to a foreign diplomat, a broader group of international mediators—ECOWAS, France, the US, and the EU—were most involved in the Follow-Up Committee.¹⁶¹ The resulting structure is “heavy,” as several members cannot take decisions locally and have to consult with their principals in regional capitals or at the headquarters of international or regional organization. It is also complicated by changes in key personalities: the head of MINUSMA, Bert Koenders, departed midway through the Algiers negotiations; Algeria’s former ambassador to Mali and lead mediator, Nouredine Ayadi, departed at the end of the negotiations; and Ramtane Lamamra was replaced as the head of Algeria’s foreign ministry.

While all international members of the Follow-Up Committee share a basic consensus that the peace agreement is the only way to resolve the conflict in Mali, geopolitical considerations and national interests regularly return to the fore. This may explain, at least in part, the less than forceful public reaction by the international members of the committee to the lack of progress in implementation, as well as the few joint mediation

communiqués they have put out. This muted reaction can also be explained by the committee’s role as a mediator; it cannot name and shame if it is to oversee the implementation of the agreement by the parties and help iron out difficulties and disagreements in the interpretation of the text. According to a senior member of the international mediation team, this further underlines the need for the appointment of an independent observer as mandated in the agreement. This is reminiscent of the situation in which MINUSMA found itself after the Ouagadougou Preliminary Agreement when it chaired the follow-up mechanism; the mission found itself uncomfortably positioned between its mandate to support the return of state institutions to the north and its role as president of the follow-up committee, which involved the use of good offices to facilitate implementation of the agreement.

However, as has been repeatedly mentioned in almost every one of the UN secretary-general’s reports on Mali since 2015, the Follow-Up Committee has limited leverage to press for the implementation of the agreement in the absence of political will on the part of the signatories. Some members of the mediation team have also been more reluctant than others to “push and pull” the parties to achieve advances in implementation in between committee meetings, owing to their respect for national ownership and acknowledgment of the primary responsibility of the parties for implementation. A senior member of the international mediation team noted that the committee’s leverage over the parties was further complicated by Algeria’s insistence on chairing the Follow-Up Committee and co-chairing all of its subcommittees, even though the Algerian ambassador presiding over the committee would only fly to Bamako for meetings once a month. According to the mediator, “This role should not fall to a neighboring country because its implication in supporting the implementation of the peace process will undoubtedly be perceived as interventionist; the chairmanship of the [Follow-Up Committee] should have been handed to the United Nations.”¹⁶²

¹⁶⁰ Interview with government official, Bamako, May 9, 2017.

¹⁶¹ Interview with foreign diplomat, Bamako, May 9, 2017.

¹⁶² Interview with senior member of the international mediation team, Bamako, May 10, 2017.

Although it was not in the lead of the negotiations in Algiers, MINUSMA occupied a unique role in the agreement's implementation. With over 10,000 troops and a civilian presence in Bamako, Kidal, Gao, and Timbuktu (in particular), the mission's commanding presence on the ground raises questions about the role it should or could take in the implementation process. Further, the mission's mandate makes it not only a member of the international mediation team and of the Follow-Up Committee but also an implementing partner, particularly in the defense and security realm. Whether rightly or not, Malian parties expect MINUSMA to assist in reestablishing security and fault it for not doing so. Several Malian government officials, for instance, suggested that the mission ought to put its resources at the disposal of the Malian state. One civil servant specifically raised the need for MINUSMA to allow the Malian armed forces to use its helicopters to respond to security incidents in the north.¹⁶³

Such demands led to a change in MINUSMA's mandate in 2016 to increase its capabilities and allow it to adopt a more "proactive and robust posture," including when protecting civilians against asymmetric threats. This was welcomed by Malian Foreign Minister Diop, who said his country's expectations "centred on a more robust posture for MINUSMA, strengthening its capabilities and greater support for Mali's Armed Forces."¹⁶⁴ Accordingly, discussions on renewing the mission's mandate in June 2017 have focused on securing central Mali, including through increased coordination with the Malian armed forces and the G5 Sahel counterterrorism force.

This focus risks relegating the peace process and implementation of the peace agreement to the background. It is thus worth considering the International Crisis Group's recommendation that the Security Council reorient MINUSMA's mission, "particularly by strengthening its political and civil affairs components and giving the mission a greater role in local reconciliation." It is also likely that, with the end of the interim period and

the forthcoming presidential elections in July 2018, the government will want to move away from a heavy follow-up structure. In this context, the Follow-Up Committee's appointment of an independent observer to objectively evaluate the state of implementation, as mandated by the agreement (Article 63), could be a useful follow-up to the committee.¹⁶⁶

Conclusion

This report has analyzed the implementation of the Bamako Agreement in Mali over the past two years, linking the challenges of implementation to the difficulties experienced during the negotiations in Algiers. In so doing, it aims to draw as complete a picture of the situation as possible for the United Nations and other external actors involved in the process to draw lessons and take these into account when planning forward. It highlights a number of challenges that emanated from the legacies of previous agreements, the general environment in which the agreement was negotiated and implemented, and the choices that the international mediation team and the parties made at the table and beyond. While some of these challenges were more difficult to address than others, it is their interaction that has made the Malian peace process so complex and so fraught with dangers. These concluding thoughts attempt to tease out some of the lessons from the UN engagement and to provide a glimpse into what may lie ahead for Mali beyond the end of the interim period in June 2017.

LESSONS FOR THE UNITED NATIONS

The UN can draw six broad lessons from the implementation of the Bamako Agreement in Mali:

1. **Even when it does not officially lead a mediation process, the UN may end up leading implementation in practice.**

It matters being the big kid on the block. The sheer scope of MINUSMA's presence in Mali has affected perceptions and expectations both among Malians and within some circles of the international mediation team. While the UN

¹⁶³ Interview with senior Malian civil servant, Bamako, May 12, 2017.

¹⁶⁴ United Nations, "Security Council Adopts Resolution 2295 (2016), Authorizing 'More Proactive and Robust' Mandate for United Nations Mission in Mali," UN Doc. SC/14246, June 29, 2016.

¹⁶⁵ International Crisis Group, "Open Letter to the UN Security Council on Peacekeeping in Mali."

¹⁶⁶ A working group headed by the AU special representative, former President Buyoya, has been tasked with submitting a shortlist of candidates to the Follow-Up Committee for consideration.

was not in the lead of the negotiations in Algiers, and while it only co-chairs the security and defense subcommittee of the Follow-Up Committee, in practice the UN has found itself obliged to take the lead on certain aspects of implementation.

Taking the lead, however, comes with the risk of being faulted for either doing too much or not doing enough. This became abundantly clear when members of the international mediation team expressed disappointment over MINUSMA's perceived failure to establish the Follow-Up Committee's secretariat and for its decision to have its own mediation unit perform these duties instead. It was also illustrated by the criticism various parties to the agreement levelled against the mission's performance on the ground in Mali, particularly on the security front. While MINUSMA's mandate was clearly drafted to support the cease-fire arrangements and confidence-building measures put in place by the parties to the agreement, the mission has been faulted for not doing enough to support the redeployment of the Malian army to the north and to protect civilians from the imminent threat of physical violence. Demands for MINUSMA to take a more robust posture have been partially met by the terms of the mission's new mandate of June 2016, but they have not been met in practice due to its persistently limited capabilities and a challenging environment where asymmetric security threats abound.

2. When implementing an agreement it did not mediate, the UN may find itself accountable to more than one "principal."

In contributing to implementing some aspects of the Bamako Agreement, MINUSMA is de facto accountable to the Follow-Up Committee while also officially accountable to the Security Council. This may cause tensions if the different "principals" do not see eye to eye or if MINUSMA has to participate in the implementation of provisions or decisions that do not fully live up to the international legal frameworks to which UN missions are bound.

One particularly telling instance is MINUSMA's

position vis-à-vis the justice, reconciliation, and humanitarian pillar of the agreement. While the agreement reiterates that war crimes and crimes against humanity cannot be subject to limitations, the granting of amnesty—a provision that would have been untenable from a UN standpoint—was hotly debated and only narrowly averted in Algiers. However, the UN was not able to ensure the vetting of prisoners released by the government as part of the confidence-building measures. MINUSMA has now initiated a system of human rights profiling, which will likely put in evidence problems with some of the individuals appointed to the Follow-Up Committee, joint patrols, and interim authorities in relation to their past deeds during the 2012 Islamist occupation of northern Mali.

3. UN missions, even when mandated under Chapter VII, remain dependent on the goodwill of the host country, and heads of missions remain vulnerable to the threat of dismissal.

The government of Mali and the majority of Malians still resent having been placed on the Security Council's agenda. This has led the government to put more weight on one part of MINUSMA's mandate: to support the return of state institutions, including the Malian army, to the north. After the Ouagadougou Preliminary Agreement, this created tension between the mission and the newly elected president and his government as MINUSMA also sought to fulfill the other part of its mandate: to exercise good offices in support of the implementation of the transitional road map.

Following the Bamako Agreement, this tension has abated because of the diversity of international mediators involved in the Follow-Up Committee. However, the end of the interim period increases the risk of various international actors disengaging from the day-to-day follow-up on implementation, which could again leave MINUSMA alone in the ring. As a result, the mission may again find itself in an uncomfortable position. It is being called upon to assist the government in managing the deteriorating

security situation in central Mali and in redeploying the Malian army to the north (whether or not it is reconstituted as per the agreement). At the same time, MINUSMA may need to exercise its good offices to mediate future disagreements on the interpretation of the agreement and to push what has until now been a reluctant government to implement it (notwithstanding the priorities of the new government).

4. UN assets such as logistics and expertise provide opportunities for leverage.

While the United Nations was not in the lead in Algiers and is but one of several international actors in the Follow-Up Committee, MINUSMA could count on a number of assets to increase its leverage in Mali. Particularly important were UN logistics and expertise. Without UN transportation capabilities, neither the negotiations nor many of the meetings of the Follow-Up Committee and Joint Technical Commission for Security/Technical Security Commission would have been possible. The leaders of armed groups in particular, as well as Malian administrators and elected officials, came to rely on UN aviation capabilities at a time when they could not easily travel and when some of them did not feel comfortable transiting through Bamako.

UN expertise also provided MINUSMA with leverage. Staff and mediation experts seconded to the mission were essential to the elaboration of key documents such as the three thematic annexes (on the interim period, defense and security, and economic development), which, however imperfect, have provided essential detail for operationalizing the Bamako Agreement. Likewise, the presence in Algiers of MINUSMA staff with expertise on security management, chief of all the force commander and his deputy, proved invaluable at a time when security incidents threatened to derail the negotiations. Since the agreement was signed, MINUSMA support has been essential to the implementation of the agreement's defense and security provisions, its mediation unit has provided administrative support to the Follow-Up Committee, and its various sections have assisted the government in organizing activities to socialize Malians to various aspects of the

agreement.

Whether the mission took full advantage of these assets is difficult to ascertain, as it was not the focus of this report, but they clearly provided it with access and with the opportunity to build trust. More generally, these assets highlight the importance of advance planning and preparedness, one of the key principles of the UN Guidance on Effective Mediation. Most notably, MINUSMA is the first peacekeeping mission to be endowed with a separate mediation unit, an initially controversial move that ultimately proved an asset during the negotiation and implementation phases.

5. Principles matter, and the UN is the appropriate vehicle to push for a principled approach to mediation.

The UN Guidance on Effective Mediation only dates back to 2012, but already the UN's push on matters such as inclusivity has left its mark. While there are no shining success stories of efforts to promote inclusivity in Mali, constant reminders of the need for inclusivity from MINUSMA and the secretary-general have brought the issue into the public consciousness.

For instance, in spite of the sustained participation of Malian women and women's associations in activities related to the implementation of the peace agreement, the formal inclusion of women in the process lags far behind. Six women were appointed as commissioners on the Truth, Justice and Reconciliation Commission (out of twenty-four total), and six women were named to the special commission in charge of drafting the Charter for Peace, Unity and National Reconciliation (out of fifty-three total). Not a single woman was nominated by the armed groups to serve in the interim authorities (nor in the Follow-Up Committee or subcommittees), although the government designated one woman as a member of the transitional councils (out of thirty-two total) and two women as special advisers (out of twenty total).

In spite of this meager record, President Keïta felt compelled by unrelenting pressure to sign a decree in December 2015 providing for a 30 percent quota for the appointment of women to national institutions and legislative bodies. In

our interviews, some Malian civil servants even “joked” that they had learned a new word, “inclusivity.”¹⁶⁸ While this may not be the result sought, the uneasiness it reflects and the unsolicited need to raise the issue indicate at least some recognition of its importance.

6. The personalities of UN officials matter.

Since its inception, MINUSMA has been led by three different special representatives of the secretary-general. While each brought something different to the table, they all had their own limitations. Bert Koenders was hampered by the legacy of the Ouagadougou Preliminary Agreement. Koenders was perceived to be closer to the armed groups because of his attempt to use good offices to encourage the parties to move toward the mandated inclusive talks to find a comprehensive and lasting solution to the crisis. Nonetheless, his ability to develop a good rapport with both Algerian Foreign Minister Lamamra and AU Special Envoy Buyoya resulted in the establishment of the Algiers triumvirate.

MINUSMA lost some of its leverage upon Koender’s resignation and his replacement by Tunisia’s Mongi Hamdi, perceived to be closer to Algeria. Indeed, this was when Algeria decided to take the lead on implementation and preside over not only the Follow-Up Committee but also over all of its subcommittees, in a departure from standard practice when there is a Security Council–mandated mission on the ground.

The current head of MINUSMA, Mahamat Saleh Annadif, is a Chadian diplomat with extensive experience in peace processes. Chad is involved in the Follow-Up Committee as one of the regional countries brought on board by Algeria and is a military leader in the region, including through its participation in peacekeeping missions. This, together with Annadif’s understanding of the armed groups, has resulted in a happy medium whereby Annadif has developed good relations with all signatories to the agreement—both the government and the armed groups.

However, even Annadif’s skills might be tested in the months ahead, as the mission runs the risk of turning away from implementation of the peace agreement. Indeed, the need to respond to security concerns in central Mali, the UN secretary-general’s commitment to provide support to the planned G5 force, and MINUSMA’s mandated support to the redeployment of the Malian army risk unsettling the delicate balance the mission has achieved between its stabilization and good offices roles. This has contributed to discussions about the way forward ahead of the renewal of MINUSMA’s mandate. While the International Crisis Group has suggested that the mission reorient its focus toward good offices, its previous suggestion that the UN decouple the roles of stabilization and good offices by appointing a special envoy in charge of mediation while leaving MINUSMA to tend to security issues also merits mentioning.

THE WAY FORWARD: 2017 AND BEYOND

On January 30, 2017, the fifteenth meeting of the Follow-Up Committee in Bamako was boycotted by the Coordination. According to the secretary-general’s March 2017 report on Mali, the Coordination was protesting the “lack of inclusiveness in the decision making of the implementation process and delays in implementing interim measures.... Halfway through the meeting the representatives of the Platform coalition of armed groups walked out in solidarity with [the Coordination].”¹⁶⁹ At the turn of 2017, and only a few months away from the end of the eighteen- to twenty-four-month interim period, many questioned whether the peace agreement was still worth holding on to or if it was time to start looking for alternatives.

Led by Algeria, the international mediation team attempted to revive the process as it had previously done at the beginning of 2016. On February 10, 2017, Algerian Foreign Minister Lamamra convened a ministerial-level meeting of the Follow-Up Committee, which gave new momentum to the process. Following eighteen months of little

¹⁶⁸ Interview with senior Malian civil servant, Bamako, May 12, 2017.

¹⁶⁹ UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2017/271, March 30, 2017, para. 3.

progress in the implementation of the agreement, some key milestones were finally reached. The first Government-Coordination-Platform joint patrol was launched in Gao (composed of 600 members each from the Malian army, Coordination, and Platform and another 150 from CMFPR2, MSA, CJA, etc.). An agreement on the composition of interim authorities was reached, and despite some initial contestation these were installed in Kidal on February 28th (without Platform representatives), in Gao and Ménaka on March 2nd, and in Timbuktu and Taoudenni on April 20th. Moreover, the Conference of National Entente, which took place from March 27th to April 2nd, was more successful than anticipated, as the armed groups and opposition political parties that initially announced they would boycott the event eventually joined in.

While implementation is far behind schedule,¹⁷⁰ the implementation agenda was ambitious given the conditions under which the parties signed the agreement, and there are now some small achievements to build on. The joint patrols will need to be expanded to Timbuktu and Kidal and equipped so that they can effectively fulfill their expected role of securing the interim authorities as well as the cantonment and DDR process.¹⁷¹ The interim authorities will need to be made operational—with competent staff and adequate financial means—so that they can start providing services to northern populations ahead of the regional elections that are supposed to be held in October and November 2017. And following on the Conference of National Entente, a Charter for Peace, Unity and National Reconciliation will now need to be produced, which would record some of the key root causes of the crisis and renew the commitment of Malians to reconciliation.

Importantly, the government of Mali has accepted that June 20th cannot be the end of the interim period and that the mandate of the interim authorities will need to be extended to honor the

peace agreement's requirement that they serve for at least six months. Appointed on April 1, 2017, the new government of Prime Minister Maïga (a member of the president's Rally for Mali party) has made the implementation of the peace agreement its top priority. This may have less to do with a sudden change of heart than with the realization that, at a time when the Malian army finds itself unable to control the deteriorating situation in central Mali, the government must find ways to make good on President Keïta's promise to deliver stability. This is all the more important as the new government, which does not include ex-rebels, is primarily geared toward preparing for the July 2018 presidential elections, in which President Keïta intends to run for a second term.¹⁷²

From this electoral perspective, the population of southern Mali, which represents 80 percent of the electorate, will be more important than that of northern Mali. Even so, there are signs that among southern Malians there is a growing realization that there is no military solution to the crisis in northern Mali and that the agreement is still the best chance to stabilize that part of the country. But judging by the push for a constitutional referendum slated to take place on July 9th,¹⁷³ the government may not have completely moved away from its past practice of just "ticking the boxes" and unilaterally implementing the provisions of the agreement it deems most relevant, which risks derailing the process. To this effect, a new implementation calendar could be helpful, as would be the establishment of a permanent consultation framework (*cadre de concertation permanent*) as decided during the February 2017 ministerial-level meeting of the Follow-Up Committee.

Until clashes between the Platform and the Coordination and affiliated clans resumed in the Kidal region in June 2017,¹⁷⁴ the government, Coordination, and Platform seemed to have

170 For instance, according to the peace agreement, the joint patrols should have started within sixty days of signature; integration criteria, quotas, and modalities should have been decided within ninety days; and the armed groups should have submitted their lists of combatants and the government integrated them within six months.

171 The peace agreement's Annex 2 on defense and security clearly states that the primary role of the joint patrols in Gao, Timbuktu, and Kidal would be to secure the cantonment and DDR process. Over time, however, the parties have increasingly considered the joint patrols as directly linked to the security of the interim authorities. The problem is that, until now, only one joint patrol has been established in Gao, and it only operates within the city (whereas cantonment sites will be outside urban centers).

172 UN Security Council, *Report of the Secretary-General on the Situation in Mali*, UN Doc. S/2017/478, June 6, 2017, para. 13.

173 "Référendum constitutionnel au Mali: Dispersion d'un rassemblement d'opposants," Radio France Internationale, June 9, 2017, available at www.rfi.fr/afrique/20170608-referendum-constitutionnel-mali-dispersion-rassemblement-opposants.

174 Jules Crétois, "Mali: Dans la région de Kidal, 'la tension est énorme.'"

entered into a new positive dynamic. This started when, on the eve of the seventeenth session of the Follow-Up Committee on May 2, 2017,¹⁷⁵ some government ministers met with representatives of the armed groups and decided to create an informal technical and political committee under the aegis of the high representative of the president.¹⁷⁶ This committee is intended to move forward implementation in the periods between the monthly meetings of the Follow-Up Committee when it had typically stalled. Implementation will also depend on the Coordination and Platform working out their differences and working together in good faith.

But many observers remain concerned that the parties—and some of their appointed representatives in the various follow-up mechanisms—are more interested in the process than in peace itself. They remain concerned that, to date, the parties have done just enough to stay in the process but have not committed themselves to it fully, as illustrated by the fact that they have barely implemented interim arrangements and have not progressed on larger institutional reforms. They fear that any major incident could be used to once again stall a process that has not yet reached the point where it is irreversible. In particular, the modalities and timing of the redeployment of the Malian army (whether reconstituted as per the agreement or not) to northern Mali—and particularly to Kidal—and of the DDR process could lead to renewed tensions, as they have in the past.¹⁷⁷

There is also a possibility that the international mediation team and the lead mediator, Algeria, may disengage from following-up on implementation. Already the mediation team has repeatedly threatened to cut monthly allowances to representatives of the armed groups on the Follow-Up Committee and Technical Security Commission.

In a departure from standard diplomatic practice and from the Follow-Up Committee's usual conciliatory style, the committee's president recently sent a letter to the president of the Coordination—apparently leaked to the press—accusing the group of “once again and one time too many” failing to meet their commitments for not vacating Camp #1 in Kidal, where the Operational Coordination Mechanism and joint patrols were supposed to be installed.¹⁷⁸ The pressure seemed to pay off, as Coordination forces finally vacated the premises on June 2nd to allow for the rehabilitation of the camp. In the latest meeting of the Follow-Up Committee, the parties agreed to launch the Operational Coordination Mechanism and joint patrols in Kidal by June 20th.¹⁷⁹ But the question is whether the change in government in Algeria at the end of May, which saw the replacement of Foreign Minister Lamamra—the architect of the peace agreement—may affect Algeria's commitment to the Mali file.¹⁸⁰

This has led to discussions regarding the designation of an independent observer by the Follow-Up Committee to objectively evaluate the state of implementation, as per Article 63 of the peace agreement. While it is difficult to imagine how such an observer could assign blame (or recommend sanctions, as certain Security Council members seem to hope), his or her designation could prove a useful mechanism to replace the heavy follow-up structures of the Follow-Up Committee as implementation extends past the interim period. However, the observer's role will be limited to just that—observing. As a result, amicable but sustained pressure from countries in the region—all members of the international mediation team but each with leverage over different parties, including the government—will be essential to ensuring that this peace agreement, unlike past ones, is ultimately implemented.

175 MINUSMA, “Communiqué de la dix-septième session du Comité de suivi de l'accord,” May 2, 2017, available at <https://minusma.unmissions.org/communiqu%C3%A9-de-la-dix-septieme-session-du-comite%C3%A9-de-suivi-de-l%E2%80%99accord>.

176 Representatives of the Coordination and the Platform on the Follow-Up Committee now share offices with the high representative of President Keïta, Mahamadou Diagouraga, in the former building of the Regional Solar Energy Centre (CRES) in Bamako, which also facilitates regular consultations.

177 “Kidal: Le retour de l'administration malienne avant le 20 juin compromis?,” *MaliJet*, June 14, 2017, available at http://malijet.com/a_la_une_du_mali/188112-kidal_retour_administration_malienne_compromis.html.

178 “Mali: Tensions entre le Comité de suivi de l'accord de paix et la CMA,” *Radio France Internationale*, May 25, 2017, available at www.rfi.fr/afrique/20170525-mali-tensions-entre-comite-suivi-accord-paix-cma-boutache-sidati.

179 MINUSMA, “Communiqué de la dix-huitième session du Comité de suivi de l'accord,” June 6, 2017, available at <https://minusma.unmissions.org/communiqu%C3%A9-de-la-dix-huitieme-session-du-comite%C3%A9-de-suivi-de-l%E2%80%99accord>.

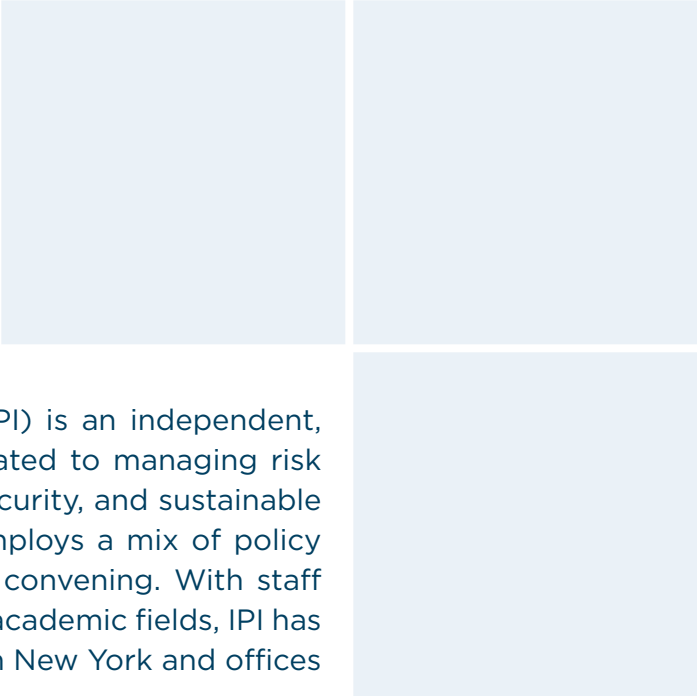
180 Lamamra was replaced by Abdelkader Messahel, previously co-Minister of Foreign Affairs in charge of the Maghreb, the African Union, and the Arab League, who has also been following the Malian file closely. “Officiel: La formation du nouveau gouvernement annoncée, départ de Lamamra, Bouterfa, Bouchouareb et Grine,” *HuffPost Maghreb*, May 25, 2017, available at www.huffpostmaghreb.com/2017/05/25/algerie-gouvernement-tebb_n_16802982.html.

In this context, the G5 Sahel counterterrorism force, authorized on April 13th by the AU Peace and Security Council and under consideration by the UN Security Council, should aim to support a difficult political process rather than be a substitute for it.¹⁸¹ MINUSMA, which remains the only member of the international mediation team with a

significant presence in the north, should continue to play a strong political role at both the national and local levels.¹⁸² In the absence of alternatives, the best rampart against terrorism and a return to violence continues to be the implementation of the peace agreement and the return of a more legitimate state presence to northern Mali.

181 The EU has already committed €50 million to this counterterrorism force, which could be composed of 10,000 troops. See “La France demande à l’ONU d’autoriser le déploiement d’une force africaine dans le Sahel,” *Jeune Afrique*, June 7, 2017, available at www.jeuneafrique.com/445468/politique/france-va-demander-a-lonu-dautoriser-deploiement-dune-force-africaine-sahel/.

182 The International Crisis Group’s recommendation is that “by strengthening MINUSMA’s civilian components, reinforcing its good offices role, tasking it with local reconciliation and reviewing its relationship with other security forces in Northern Mali, the Council would better position the UN to support the peace agreement’s implementation and prevent its collapse.” International Crisis Group, “Open Letter to the UN Security Council on Peacekeeping in Mali.”



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