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**SAFEGUARDING MALI’S FUTURE: APPLYING THEORY TO EXAMINE SECURITY FAILURES, THREATS,  
AND OPPORTUNITIES IN A CONFLICT-AFFECTED NATION**

**INTRODUCTION**

On August 18, 2020, Malian military officers staged a coup d’état, arresting President Ibrahim Boubacar Keita, Prime Minister Boubou Cisse, and other government officials.<sup>1</sup> This coup arrived after months of protests led by cleric Mahmoud Dicko and the June 5 Movement (M5-RFP), who opposed alleged election interference and corruption that allowed Keita’s party to remain in office.<sup>2</sup> The coup was initially met with approval from the M5-RFP protesters, but concerns remain, given Mali’s deeply rooted problems with conflict, violence, and insecurity.<sup>3</sup>

The country has a history of rebellion dating back to its independence in 1960, but for many decades, Mali was viewed by some as a “poster child” for effective governance in Africa.<sup>4</sup> This perspective began to change following a military coup in 2012 that resulted from the government’s inability to contain a growing Tuareg rebellion in northern Mali.<sup>5</sup> Drawing on “unresolved ethnic differences dating from French colonial times,” the Tuaregs, led primarily by the National Movement for the Liberation of Azawad (MNLA), sought to establish an independent northern state and took control of a significant portion of the nation’s territory.<sup>6</sup> However, armed Islamist groups, including al-Qaeda

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<sup>1</sup> John Campbell, *Mali Coup: “Rearranging the Deck Chairs on the Titanic”*, COUNCIL ON FOREIGN RELS.: AFR. IN TRANSITION (Aug. 20, 2020), <https://www.cfr.org/blog/mali-coup-rearranging-deck-chairs-titanic>.

<sup>2</sup> Claire Felter & Nathalie Bussemaker, *What to Know About the Crisis in Mali*, COUNCIL ON FOREIGN RELS. (Aug. 12, 2020), <https://www.cfr.org/in-brief/what-know-about-crisis-mali>.

<sup>3</sup> See Michelle Gavin, *Post-Coup Prospects for Democracy in Mali*, COUNCIL ON FOREIGN RELS.: AFR. IN TRANSITION (Aug. 27, 2020), <https://www.cfr.org/blog/post-coup-prospects-democracy-mali>.

<sup>4</sup> John Campbell, *France Insists on Mali’s Return to Civilian Rule*, COUNCIL ON FOREIGN RELS.: AFR. IN TRANSITION (Sept. 24, 2020), <https://www.cfr.org/blog/france-insists-malis-return-civilian-rule>. While the historical context of Mali’s colonial rule, independence, and transition to democracy is important to understand, this paper focuses its analysis on reforms and challenges that have emerged in the past decade.

<sup>5</sup> See *Destabilization of Mali*, COUNCIL ON FOREIGN RELS., <https://www.cfr.org/global-conflict-tracker/conflict/destabilization-mali> (last updated Nov. 12, 2020).

<sup>6</sup> Campbell, *supra* note 1; see also John Campbell, *Is Mali Heating Up Again?*, COUNCIL ON FOREIGN RELS.: AFR. IN TRANSITION (Apr. 28, 2015), <https://www.cfr.org/blog/mali-heating-again>.

affiliates, broke off their alliance with the MNLA, co-opted the movement, took over large swaths of territory, and threatened the Malian people.<sup>7</sup> This prompted the coup that deposed former President Amadou Touré and courted international military intervention.<sup>8</sup> The Malian military—with support from France’s Operation Serval, regional forces, and the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA)—recaptured most land held by jihadists by the end of 2013.<sup>9</sup> However, this “victory” did not succeed in removing the jihadists, many of whom found a vacuum of power in the Niger River territory in northern Mali.<sup>10</sup> Furthermore, the 2015 Algiers Accord peace deal has largely failed for a variety of reasons: (1) many parties were not included in negotiations; (2) signatories have not disarmed; (3) jihadists have acted as spoilers; (4) new armed factions have emerged; and (5) state actors remain absent from large areas across central and northern Mali.<sup>11</sup>

In the eight years between coups, insecurity within Mali has only worsened.<sup>12</sup> Armed groups have capitalized on state corruption and security force abuses to garner public support.<sup>13</sup> Affiliates of al-Qaeda in the Islamic Maghreb (AQIM) have formed the potent jihadist Union for Supporting Islam and Muslims (JNIM), while the Islamic State in the Greater Sahara (ISGS) has also risen to power.<sup>14</sup> Communal and ethnic violence, banditry, and terrorist attacks are common.<sup>15</sup> Human rights abuses, as well as the limited response to threats posed by jihadists and armed groups, have eroded civilian trust in the government.<sup>16</sup> Malians have also disapproved of the lack of progress made by foreign intervention.<sup>17</sup> France’s military

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<sup>7</sup> See Campbell, *supra* note 6.

<sup>8</sup> See ALEXIS ARIEFF, CONG. RSCH. SERV., IF10116, CRISIS IN MALI 1 (2020), <https://fas.org/sgp/crs/row/IF10116.pdf>.

<sup>9</sup> See *id.*

<sup>10</sup> John Campbell, *Mali is Heating Up*, COUNCIL ON FOREIGN RELS.: AFR. IN TRANSITION (June 5, 2017), <https://www.cfr.org/blog/mali-heating>.

<sup>11</sup> ARIEFF, *supra* note 8, at 2.

<sup>12</sup> *Mali: Events of 2019*, HUM. RTS. WATCH, <https://www.hrw.org/world-report/2020/country-chapters/mali#73fcc> (last visited Nov. 14, 2020).

<sup>13</sup> See Felter & Bussemaker, *supra* note 2.

<sup>14</sup> See ARIEFF, *supra* note 8, at 2.

<sup>15</sup> See *Mali: Events of 2019*, *supra* note 12.

<sup>16</sup> See HUM. RTS. WATCH, “WE USED TO BE BROTHERS”: SELF-DEFENSE GROUP ABUSES IN CENTRAL MALI 88 (Dec. 7, 2018), <https://www.hrw.org/report/2018/12/07/we-used-be-brothers/self-defense-group-abuses-central-mali> [hereinafter “WE USED TO BE BROTHERS”].

<sup>17</sup> See Felter & Bussemaker, *supra* note 2.

aid, initially intended to be short lived, has transformed into Operation Barkhane, a billion-dollar annual enterprise that some critics have labeled a “forever war” or “France’s Afghanistan.”<sup>18</sup> MINUSMA also remains active, supporting implementation of the Algiers Accord, protecting civilians, and seeking restoration of state authority throughout Mali.<sup>19</sup> As of October 2020, there are over 43,000 refugees and 287,000 internally displaced persons (IDPs) forced from their homes due to the ongoing conflict, and about half of Malians live in severe poverty.<sup>20</sup>

Mali’s inability to secure its territory and provide for the safety of its citizens has exacerbated the conflicts that garnered international attention in 2012. Although this latest coup was met with some celebration, it is unlikely that a simple “rearrangement of the deck chairs on the *Titanic*” will solve the country’s deeply rooted security problems.<sup>21</sup> Like past actions, this coup may satisfy short-term calls for change while failing to create meaningful security progress.<sup>22</sup> As this paper will examine, Mali’s leaders and armed forces have ignored many of the theories and themes that are recognized as essential to security provision in the modern world.<sup>23</sup> First, security must serve as the foundation for all other building blocks of post-conflict reconstruction.<sup>24</sup> A critical reason for Mali’s continued instability, political upheaval, and governance challenges is the country’s inability to first ensure the safety of its citizens. Security also is merely one component of the broader peacebuilding process, and progress in the equally important areas of governance, justice, and accountability is critical.<sup>25</sup> Decisions not to prosecute or hold human rights abusers within the armed forces accountable are simply one illustration of Mali’s lack of effective reconstruction.<sup>26</sup> Additionally, security requires inclusion and cooperation with local forces and

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<sup>18</sup> Campbell, *supra* note 4.

<sup>19</sup> ARIEFF, *supra* note 8, at 2.

<sup>20</sup> *Sahel Crisis*, R4SAHEL COORDINATION PLATFORM FOR FORCED DISPLACEMENTS IN SAHEL, <https://r4sahel.info/en/situations/sahelcrisis> (last updated Oct. 31, 2020); Felter & Bussemaker, *supra* note 2.

<sup>21</sup> Campbell, *supra* note 1.

<sup>22</sup> See Gavin, *supra* note 3.

<sup>23</sup> See *infra* Part I.

<sup>24</sup> See JANE STROMSETH ET AL., *Security as Sine Qua Non, in CAN MIGHT MAKE RIGHTS?: BUILDING THE RULE OF LAW AFTER MILITARY INTERVENTIONS* 134, 134 (2006) (ebook).

<sup>25</sup> John J. Hamre & Gordon R. Sullivan, *Toward Postconflict Reconstruction*, WASH. Q., Autumn 2002, at 85, 91-92.

<sup>26</sup> See Ena Dion & Emily Cole, *How International Security Support Contributed to Mali’s Coup*, U.S. INST. OF PEACE (Sept. 21, 2020), <https://www.usip.org/publications/2020/09/how-international-security-support-contributed-malis-coup>.

civilians and cannot be solved by a simple short-term international intervention.<sup>27</sup> Mali's reliance on intervention from France, the UN, and the G5 Sahel regional network has contributed to the exclusion of local actors and self-defense militias seeking to protect their exposed communities.<sup>28</sup> Finally, security is an ongoing project, one that does not end, but rather begins, with a military "victory."<sup>29</sup> Mali was unable to capitalize on the "Golden Hour" that followed its initial military successes, which has only allowed insecurity to grow long after the rebellion and insurgency of 2012 came to a close.<sup>30</sup>

Recognizing security's role as an essential prerequisite for post-conflict reconstruction, this paper seeks to analyze Mali's struggles to address the many threats facing its citizens and to identify opportunities for the nation as it enters a new phase in its ongoing conflict. Part I will discuss the central themes of security, including those introduced above, to examine how scholars have interpreted the concept and how regions and nations have implemented security to varying degrees of effectiveness in their own post-conflict settings. Part II will take a closer critical view of Mali as a case study applying these themes. This section will begin by identifying the many security actors present in the country and how they have failed to establish lasting peace for Malian civilians. These actors include the Malian armed forces, international intervention forces from France and the G5 Sahel countries, and informal militia and vigilante groups. Part II also examines Mali's recent attempts at security reform and why these efforts have not produced meaningful change or effective solutions. This section concludes with a review of the many specific threats facing Malians today, including security force abuses, weak oversight, armed jihadist attacks, communal violence, ineffective foreign assistance, and a lack of trust between civilians and security personnel. Part III addresses potential opportunities and recommendations for the Malian government and international actors to reduce the magnitude of current threats and maintain stability in a future post-conflict society. Finally, this paper will end with a brief conclusion that summarizes its central

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<sup>27</sup> See HANNAH ARMSTRONG, U.S. INST. OF PEACE, CRISIS IN MALI: ROOT CAUSES AND LONG-TERM SOLUTIONS 3 (May 31, 2013), <https://www.usip.org/sites/default/files/PB149-Crisis%20in%20Mali-Root%20Causes%20and%20Long-Term%20Solutions.pdf>.

<sup>28</sup> See *id.* at 2-3.

<sup>29</sup> STROMSETH ET AL., *supra* note 24, at 134.

<sup>30</sup> See *Destabilization of Mali*, *supra* note 5.

arguments and looks ahead to Mali's post-coup future. Mali's failure to learn from its past security mistakes has only exacerbated its crisis, but by instituting reform and centering security as the key component in its post-conflict reconstruction, the nation can take steps in the right direction on the long road to peace.

## **I. THEORIES AND THEMES OF SECURITY**

Scholars and practitioners alike have discovered that security defies a single conceptual understanding and takes a variety of forms depending on the context of a given conflict or location.<sup>31</sup> Nevertheless, there are some common themes that have emerged over time in both practical fieldwork and theoretical writing about security. This section seeks to explore some of the most prominent themes that have been identified in this body of literature and research, and which are elemental to any analysis of the ongoing insecurity crisis in Mali.

### *A. What Constitutes "Security?"*

Before analyzing or understanding any country's effectiveness in providing security, it is crucial to define what constitutes "security." First and foremost, security must be understood as human-centered, focusing primarily on "personal safety from physical threat and the fear of physical threat."<sup>32</sup> However, it is also important to recognize the interrelated forms of insecurity people may experience, including economic, psychological, and food insecurity.<sup>33</sup> While security must center on the individuals facing threats, rather than collective bodies—states, corporations, affiliated groups—personal safety is indelibly interlinked with community and state security.<sup>34</sup> For example, interventions targeted to protect civilians trapped in the middle of a jihadist insurgency must also address the broader regional challenges and factors contributing to the insurgency's existence.

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<sup>31</sup> See CRAIG VALTERS ET AL., OVERSEAS DEV. INST., SECURITY IN POST-CONFLICT CONTEXTS: WHAT COUNTS AS PROGRESS AND WHAT DRIVES IT? 1 (Apr. 2014), <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/8915.pdf>.

<sup>32</sup> *Id.* at 2-3.

<sup>33</sup> See *id.* at 2.

<sup>34</sup> Adedeji Ebo & Kristiana Powell, *Why is SSR Important? A United Nations Perspective*, in THE FUTURE OF SECURITY SECTOR REFORM 48, 48 (Mark Sedra ed., 2010) (ebook).

Security involves a diverse set of actors,<sup>35</sup> operating at the individual, local, state, national, and regional levels. Furthermore, according to John J. Hamre and Gordon R. Sullivan, security is one of the four pillars of post-conflict reconstruction, involving not only public safety and territorial control, but also “legitimate and effective security institutions.”<sup>36</sup> As exhibited in Mali, the inability to enact effective mechanisms for oversight of the armed forces only creates additional security challenges.<sup>37</sup> It is important to note that what constitutes “security progress” is likely to vary depending on the conflict and the parties involved.<sup>38</sup> In some conflicts, a short-term military intervention may resolve tensions; for others, progress may require substantial reform of underlying structures, as well as a protracted military presence. Thus, each intervention, whether led by national or international actors, must honestly assess the needs of the affected population and willingly take steps to meet those needs.<sup>39</sup>

#### *B. Security is an Essential Pillar of Post-Conflict Reconstruction*

Security in a post-conflict setting is the “foundation on which long-term, sustainable development can be built.”<sup>40</sup> Quite simply, security is the essential building block on which all other indicators of post-conflict progress rely. Security cannot exist in a vacuum, however; rather, it must be one piece of a holistic reconstruction process aimed at improving governance, inclusivity, transparency, and social and economic well-being.<sup>41</sup> For example, securing a military victory over extremists will be meaningless if no court systems or accountability measures are established to bring perpetrators, including abusive state security actors, to justice.<sup>42</sup>

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<sup>35</sup> See *infra* Part I.D.

<sup>36</sup> Hamre & Sullivan, *supra* note 25, at 91.

<sup>37</sup> See Dion & Cole, *supra* note 26.

<sup>38</sup> VALTERS ET AL., *supra* note 31, at 1.

<sup>39</sup> See NATHANIEL MYERS, CARNEGIE ENDOWMENT FOR INT’L PEACE, *HARD AID: FOREIGN AID IN THE PURSUIT OF SHORT-TERM SECURITY AND POLITICAL GOALS* 27 (Sept. 2015), <https://carnegieendowment.org/2015/09/02/hard-aid-foreign-aid-in-pursuit-of-short-term-security-and-political-goals-pub-61145>.

<sup>40</sup> VALTERS ET AL., *supra* note 31, at 2.

<sup>41</sup> See Hamre & Sullivan, *supra* note 25, at 91.

<sup>42</sup> Cf. *Mali: Islamist Armed Group Abuses, Banditry Surge*, HUM. RTS. WATCH (Jan. 18, 2017, 1:00 AM), <https://www.hrw.org/news/2017/01/18/mali-islamist-armed-group-abuses-banditry-surge> (describing the limited efforts made by the Malian government to hold soldiers implicated in human rights violations accountable).

For security to produce any lasting progress toward peace, the process requires inclusivity and input from all relevant parties, particularly those most vulnerable and often excluded from the decision-making table.<sup>43</sup> Those in power ultimately have substantial control over decisions, but security is not only for political and wealthy elites. By including the voices of those who have been victims of injustice, post-conflict governments can more accurately assess the real needs of their nations.<sup>44</sup> In contrast, structures that provide security only for those who can afford it will not prevent conflicts and their devastating consequences.<sup>45</sup> Finally, it is critical to note that establishing security in the immediate aftermath of a conflict does not guarantee success, but “the inability to establish a secure environment does guarantee failure.”<sup>46</sup> Governments must take substantial steps in areas such as governance and the rule of law to emerge successfully from a period of conflict; but, as many countries have learned the hard way, without the essential foundation of security, the entire reconstruction process will come crumbling down.

### *C. Security Requires Both an Immediate Intervention and Long-Term Efforts*

Experts have emphasized the “Golden Hour” as the critical window immediately following the conclusion of a conflict that can determine whether or not a country succeeds in establishing security.<sup>47</sup> During this period, national and international actors have an opportunity to capitalize on changing dynamics to establish a safe environment for civilians, reform existing security structures, and engage local stakeholders.<sup>48</sup> As United States intervention forces in Iraq discovered, a military victory is the simplest component of post-conflict security; reestablishing a secure environment and building trust pose much greater challenges.<sup>49</sup> The forces’ failure to prevent looting and disorder in Baghdad encouraged spoilers to derail reconstruction efforts and turned large swaths of Iraqi civilians against the very troops

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<sup>43</sup> See CRAIG VALTERS ET AL., OVERSEAS DEV. INST., SECURITY PROGRESS IN POST-CONFLICT CONTEXTS: BETWEEN LIBERAL PEACEBUILDING AND ELITE INTERESTS 26 (Mar. 2015), <https://www.clingendael.org/sites/default/files/pdfs/Van%20Veen%20-%20Security%20progress%20in%20post-conflict%20contexts%20-%20March2015.pdf>.

<sup>44</sup> See *id.* at 26-27.

<sup>45</sup> Cf. Gavin, *supra* note 3 (discussing the disconnect between Malian political elites and citizen security needs).

<sup>46</sup> STROMSETH ET AL., *supra* note 24, at 137.

<sup>47</sup> *Id.* at 145-46, 145 n.31.

<sup>48</sup> See VALTERS ET AL., *supra* note 43, at 19.

<sup>49</sup> STROMSETH ET AL., *supra* note 24, at 134.

sent to protect them.<sup>50</sup> Even when national and international actors effectively capitalize on the “Golden Hour” to establish safety and trust, security remains a long-term process.<sup>51</sup> Security cannot simply be solved once on the battlefield, but rather requires ongoing and proactive reforms of existing security and justice structures.<sup>52</sup> A major factor in Mali’s sustained insecurity across the country is the government’s inability to build on its original military success in 2013 to effect any substantial reforms of its security system.<sup>53</sup> In fact, the government’s inability to respond to security threats or hold human rights violators accountable has played favorably into the messaging of jihadist groups, which increases instability.<sup>54</sup>

#### *D. Security Involves a Diverse Set of Actors*

While armed forces are essential during a military conflict, security in a post-conflict transition requires civil solutions and the involvement of a variety of actors. The military is designed to win battles, but establishing lasting security “requires a different mix of forces.”<sup>55</sup> As the reconstruction process proceeds from the initial armed conflict, different skills that military forces typically do not possess, such as negotiation and civilian policing, are required.<sup>56</sup> Furthermore, security forces are often themselves a contributing cause of conflict, particularly when members act corruptly and with impunity in interactions with civilians.<sup>57</sup> Thus, countries must include civil society actors, religious and community leaders, and other local stakeholders that have their “fingers on the pulse” of civilian needs and ongoing threats.<sup>58</sup>

Post-conflict governments must also recognize that security involves not only formal, state-run military forces, but also informal, non-state security providers.<sup>59</sup> When state forces are absent or weak, civilians seek alternative channels for security through non-state armed groups (NSAGs) and community

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<sup>50</sup> See *id.* at 146. Other factors, including the policies of “De-Ba’athification” and disbanding the Iraqi military, further contributed to the intervention’s failure to capitalize on the post-conflict “Golden Hour.”

<sup>51</sup> See *id.* at 176.

<sup>52</sup> See *id.*

<sup>53</sup> For more substantive analysis of Mali’s shortcomings in these areas, see *infra* Parts II.B and II.C.

<sup>54</sup> See *infra* Part II.C.

<sup>55</sup> STROMSETH ET AL., *supra* note 24, at 144.

<sup>56</sup> See *id.* at 136.

<sup>57</sup> See Dion & Cole, *supra* note 26.

<sup>58</sup> See VALTERS ET AL., *supra* note 31, at 6-7.

<sup>59</sup> See *id.* at 3.



leaders who provide customary conflict resolution.<sup>60</sup> These local providers are influential within their communities and may be viewed as more legitimate than state forces that have routinely not responded effectively to ongoing security issues.<sup>61</sup> Out of necessity, governments may even tacitly or explicitly support local armed militia or vigilante groups that can respond to threats beyond the military's reach.<sup>62</sup>

This hybrid security system poses both advantages and challenges. On one hand, militias can fill security vacuums in hard-to-reach regions, operate with fewer resources, and develop stronger trust with local populations.<sup>63</sup> However, militias might weaken the state's authority, commit human rights violations without oversight, and worsen insecurity by refusing to disarm and demobilize.<sup>64</sup> Thus, governments must walk a fine tightrope, deciding whether they will back potential spoilers, and if so, balancing support of non-state actors to avoid showing favoritism.<sup>65</sup> In a sprawling conflict featuring numerous parties and a variety of challenges, supporting NSAGs may be unavoidable; nevertheless, countries must be cautious to ensure that these actors remain part of the solution rather than an additional insecurity problem.

#### *E. Security Varies by Country, Community, and Culture*

As noted above, security progress may look substantially different in separate conflicts.<sup>66</sup> Additionally, security should vary based on the countries, communities, and cultures involved in a conflict. The security process should be "home grown," reflecting a country's traditions and resources instead of applying a "one-size-fits-all" approach.<sup>67</sup> For example, Western conceptions of civilian-military relations and dispute resolution are quite literally foreign, and therefore more likely ineffective, in a community that relies on religious or traditional leadership to resolve local conflicts.<sup>68</sup> Furthermore,

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<sup>60</sup> *Id.*

<sup>61</sup> *See id.*

<sup>62</sup> *See* Bruce Oswald, *Syria, Libya, Mali Illustrate Dilemmas of Backing Militias*, U.S. INST. OF PEACE (Mar. 22, 2013), <https://www.usip.org/publications/2013/03/syria-libya-mali-illustrate-dilemmas-backing-militias>.

<sup>63</sup> *Id.*

<sup>64</sup> *Id.*

<sup>65</sup> *Cf.* Christopher C. Conlin, *What Do You Do for an Encore?*, MARINE CORPS GAZETTE, Sept. 2004 (discussing the difficult task of not showing favoritism to any of the various actors present in Iraq).

<sup>66</sup> *See supra* Part I.A.

<sup>67</sup> Rocky Williams, *African Armed Forces and the Challenges of Security Sector Transformation*, in SECURITY SECTOR REFORM AND POST-CONFLICT PEACEBUILDING 45, 72 (Albrecht Schnabel & Hans-Georg Ehrhart eds., 2005).

<sup>68</sup> *See id.* at 52-53.

Western processes of control and accountability will not translate smoothly in countries where informal, non-state actors are key security providers and operate outside of traditional military structures.<sup>69</sup> Armed forces must cooperate with, and listen to, the locals who have had to directly defend their communities from ongoing threats.<sup>70</sup> While interveners typically seek to leave a conflict zone following signs of short-term progress, national and international actors must ensure a successful handoff of security provision.<sup>71</sup> Involvement of local actors familiar with the security needs of their communities in the decision-making process is likely to lead to more successful long-term solutions.<sup>72</sup>

#### *F. Security Provision Includes Security Sector Reform*

Establishing security in a post-conflict setting requires not only short-term security provision, but also long-term structural reform. Security sector reform (SSR) is the “reform, construction, or reconstruction of security and justice sector institutions, including oversight and management bodies.”<sup>73</sup> Sending military forces into conflict areas will provide only a momentary respite unless issues in the underlying state structures are addressed.<sup>74</sup> As seen in countless post-conflict nations, insecurity persists, and may even increase, long after the battle is won if existing security dynamics are left untouched.<sup>75</sup> For example, in Mali, unsuccessful efforts to enhance coordination among security actors or strengthen accountability measures for human rights abusers left Malians exposed to jihadist and communal violence and distrustful of those meant to protect them.<sup>76</sup> There is no single template for security sector reform, as different models will achieve varying degrees of success depending on the context of a given conflict and country.<sup>77</sup> Just as security forces must be responsive to the needs of the communities they serve, so too must politicians and those in power consider the perspectives of their citizens when building security

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<sup>69</sup> *See id.* at 64.

<sup>70</sup> *See STROMSETH ET AL.*, *supra* note 24, at 136.

<sup>71</sup> *See id.*

<sup>72</sup> *Id.*

<sup>73</sup> Nadine Ansorg & Eleanor Gordon, *Co-operation, Contestation and Complexity in Post-Conflict Security Sector Reform*, 13 J. INTERVENTION & STATEBUILDING 2, 2 (2019).

<sup>74</sup> *See STROMSETH ET AL.*, *supra* note 24, at 140.

<sup>75</sup> *See Ansorg & Gordon*, *supra* note 73, at 4.

<sup>76</sup> *See infra* Part II.B.

<sup>77</sup> *See Ebo & Powell*, *supra* note 34, at 47.

capacity and reforming legal, governance, and justice structures.<sup>78</sup> Political incentives and power dynamics can limit the effectiveness of SSR as leaders will often focus on reforms that benefit themselves and help them remain in office, instead of changes that are needed and demanded by victimized populations.<sup>79</sup> However, when conducted effectively by engaging all relevant stakeholders, SSR is a critical source of “conflict prevention, stability, peacebuilding, and sustainable development.”<sup>80</sup>

### *G. International Actors Often Play Key Security Roles in Post-Conflict Settings*

In today’s interconnected world, countries physically distant from a conflict area may nonetheless have a compelling stake in the conflict’s outcome. As a result, foreign actors may intervene in a conflict by providing direct military assistance, equipment, funding, capacity-building training, or SSR support.<sup>81</sup> However, foreign interveners often focus primarily on their own goals and agendas, paying less attention to the context and specific needs of the conflict-affected country.<sup>82</sup> As a result, interveners usually prioritize short-term security progress over long-term solutions to limit the time and resources expended in another country’s conflict.<sup>83</sup> Actors want to demonstrate immediate, visible results—such as a ceasefire agreement—but these impacts can be swiftly erased without meaningful security sector assistance and reform.<sup>84</sup> This emphasis on short-term results has led to an increasing “securitization” of foreign policy, focusing on military forces, rather than diplomats, as the primary actors.<sup>85</sup> As noted above, military actors alone are not prepared to solve all security challenges.<sup>86</sup> Foreign military interveners may be highly effective at executing missions on the battlefield, but the same personnel are not equipped to aid in

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<sup>78</sup> *Cf. id.* (describing “a culture of service” as an essential feature of security reforms that are accountable to civilian populations).

<sup>79</sup> See VALTERS ET AL., *supra* note 43, at 19.

<sup>80</sup> Ebo & Powell, *supra* note 34, at 48.

<sup>81</sup> See Richard Sokolsky & Gordon Adams, *Governance and Security Sector Assistance: The Missing Link—Part II*, CARNEGIE ENDOWMENT FOR INT’L PEACE (July 19, 2015), <https://carnegieendowment.org/2015/07/19/governance-and-security-sector-assistance-missing-link-part-ii-pub-60775>.

<sup>82</sup> See Ansorg & Gordon, *supra* note 73, at 6.

<sup>83</sup> See MYERS, *supra* note 39, at 3.

<sup>84</sup> See *id.* at 27.

<sup>85</sup> Steven Feldstein, *Do Terrorist Trends in Africa Justify the U.S. Military’s Expansion?*, CARNEGIE ENDOWMENT FOR INT’L PEACE (Feb. 9, 2018), <https://carnegieendowment.org/2018/02/09/do-terrorist-trends-in-africa-justify-u.s.-military-s-expansion-pub-75476>.

<sup>86</sup> See *supra* Part I.D.

reforming and coordinating underlying security structures.<sup>87</sup> Furthermore, foreign focus on merely training and arming a country's forces to take over security provision, without addressing governance and institutional shortcomings, is "insufficient at best and counterproductive at worst."<sup>88</sup> Of course, short-term military interventions may be necessary to contain an ongoing conflict, but they are not sufficient to provide lasting security and avoid reigniting tensions.<sup>89</sup> International interventions are most effective when coupled with long-term national efforts targeted to meet the needs of vulnerable populations, improve transparency, and reform ineffective or harmful governance structures.<sup>90</sup>

#### *H. Coups May Lead to Either Security Progress or Deterioration*

Military coups pose the potential for both increased insecurity and more stability for a country undergoing conflict. In many instances, despite the promise that a change in leadership may signal, once a military group has seized power, it is much more likely to pursue its own political gain at the expense of the country's most defenseless citizens.<sup>91</sup> In Egypt, after overthrowing President Hosni Mubarak in 2011, the military sought to remove its rivals and increase its influence over the country's government, which contributed to a second coup in 2013 and rising insecurity.<sup>92</sup> Additionally, the 2017 coup of Zimbabwe's long-standing leader Robert Mugabe did not produce any significant political changes or improve security.<sup>93</sup> However, coups that conduct civic engagement throughout a transition are more likely to lead to improved prospects for peace.<sup>94</sup> For example, continued protests in Sudan following the removal of President Omar al-Bashir in 2019 led to a commitment to a transitional council that featured both civilian

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<sup>87</sup> Rachel Kleinfeld, *Rethinking U.S. Security Assistance Beyond the Leahy Law*, CARNEGIE ENDOWMENT FOR INT'L PEACE (June 28, 2017), <https://carnegieendowment.org/2017/06/28/rethinking-u.s.-security-assistance-beyond-leahy-law-pub-71391>.

<sup>88</sup> Alexander H. Noyes et al., *How to Build Better Militaries in Africa: Lessons from Niger*, RAND CORP. (Oct. 2, 2020), <https://www.rand.org/blog/2020/10/how-to-build-better-militaries-in-africa-lessons-from.html>.

<sup>89</sup> See Nathaniel Allen & Rachel Kleinfeld, *Why Security Sector Governance Matters in Fragile States*, U.S. INST. OF PEACE (June 11, 2019), <https://www.usip.org/publications/2019/06/why-security-sector-governance-matters-fragile-states>.

<sup>90</sup> *See id.*

<sup>91</sup> See Anushka Bose & Jonathan Pinckney, *Mali's Coup: Harbinger of Hope or Uncertainty*, U.S. INST. OF PEACE (Sept. 10, 2020), <https://www.usip.org/publications/2020/09/malis-coup-harbinger-hope-or-uncertainty>.

<sup>92</sup> *Id.*

<sup>93</sup> *Id.*

<sup>94</sup> *See id.*

and military parties.<sup>95</sup> Nonviolent protest can also encourage substantial security force defections, which make civic resistance “forty-six times more likely to succeed.”<sup>96</sup> While security forces can pose direct threats themselves by committing abuses against civilians, defections in support of a protest movement present improved prospects for long-term stability in a conflict-affected nation.<sup>97</sup> Defections and civic engagement alone will not ensure a successful transition of power or an end to armed conflict, but they are significant steps on the path towards enhanced security and cooperation.

## **II. MALI’S SECURITY FAILURES AND ONGOING THREATS: A CASE STUDY**

Between the 2012 Tuareg rebellion and the present day, Mali’s citizens have experienced rising insecurity throughout the country. Despite claims of military success and promises of change, threats to individual and community security have proliferated during this period.<sup>98</sup> Moderate attempts at security sector reform and coordination of the various armed actors performing protection functions across the country have also proven grossly inadequate.<sup>99</sup> Drawing on the theories and themes discussed in Part I, this section seeks to closely analyze Mali as a case study demonstrating security’s position as the foundation of post-conflict reconstruction. In examining the ongoing insecurity crisis in Mali, this paper highlights the significant failures of the Malian government and international actors to capitalize on their many opportunities to establish security and consequently improve the prospects for lasting peace. To conduct this analysis, Part II.A will first briefly identify the diverse actors present in Mali today, including those providing security and those posing threats to civilian safety. Part II.B will provide an overview of reform efforts made between 2012 and the present day, examining how these endeavors have failed to produce significant progress in reducing insecurity. Finally, Part II.C will identify the various

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<sup>95</sup> *Id.*

<sup>96</sup> *Id.*

<sup>97</sup> *Cf. Mali: Security Forces Use Excessive Force at Protests*, HUM. RTS. WATCH (Aug. 12, 2020, 6:01 AM), <https://www.hrw.org/news/2020/08/12/mali-security-forces-use-excessive-force-protests> (discussing the use of excessive force by security actors against Malian protestors, which is likely to increase tensions and violence).

<sup>98</sup> *See Mali: Events of 2019*, *supra* note 12 (describing the numerous threats to security persisting years after the initial coup, rebellion, and military intervention in 2012).

<sup>99</sup> *See infra* Part II.B.

security challenges facing Malians today, which have resulted in large part from the inadequacy and ineffectiveness of the nation's government and security leaders.

*A. Who is Operating in Mali?: Security Providers and Problems*

The starting point for security provision in Mali is the country's official, state-sanctioned armed forces. As previously noted, military officers were behind the armed coups in 2012 and 2020, demonstrating the forces' power and influence within the country.<sup>100</sup> Mali's armed forces include the Army, the Air Force, and the National Guard.<sup>101</sup> For internal security provision, the National Police performs law enforcement duties in urban areas, while the paramilitary National Gendarmerie operates in harder-to-reach rural areas.<sup>102</sup> Despite doubling its military expenditures since the 2012 coup, Mali continues to underpay its security forces, which contributes to tensions and ineffective security provision.<sup>103</sup> As will be discussed further below, security force abuses and failures to respond to ongoing threats have intensified the mistrust between civilians and those meant to protect them.<sup>104</sup>

The main source of foreign support for the Malian armed forces comes from France's Operation Barkhane intervention force. Following the success of 2013's Operation Serval mission, France has maintained a presence in the Sahel, committing 4,500 troops to promote regional security.<sup>105</sup> France not only is the former colonial power in Mali, but also views the region as economically and politically strategic and seeks to cut off potential threats to its own security posed by migration and terrorism.<sup>106</sup> French forces have conducted important counterterrorism missions, including recent successful strikes directed at the leadership of both al-Qaeda in the Islamic Maghreb (AQIM) and the Islamic State in the

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<sup>100</sup> See *Destabilization of Mali*, *supra* note 5.

<sup>101</sup> *Mali SSR Background Note*, GENEVA CTR. FOR SEC. SECTOR GOVERNANCE (Feb. 11, 2019), <https://issat.dcaf.ch/Learn/Resource-Library/Country-Profiles/Mali-SSR-Background-Note>.

<sup>102</sup> See *id.* Calls for rethinking policing structures have been raised across the globe in 2020, led by movements in the United States and Nigeria. While policing certainly is an important component of security, this topic merits extensive discussion beyond the scope of this paper. Thus, the National Police and Gendarmerie are mentioned in this section, but do not receive significant focus in this paper's analysis of security sector reform.

<sup>103</sup> See *id.*; see also Dion & Cole, *supra* note 26.

<sup>104</sup> See *infra* Part II.C.

<sup>105</sup> *Destabilization of Mali*, *supra* note 5.

<sup>106</sup> INT'L CRISIS GRP., FINDING THE RIGHT ROLE FOR THE G5 SAHEL JOINT FORCE i (Dec. 12, 2017), <https://www.crisisgroup.org/africa/west-africa/burkina-faso/258-force-du-g5-sahel-trouver-sa-place-dans-lemboutillage-securitaire> [hereinafter FINDING THE RIGHT ROLE FOR THE G5].

Greater Sahara (ISGS).<sup>107</sup> However, the operation costs France \$1 billion annually and faces “growing indigenous resentment” from Malians who view the foreign troops as tied to their exploitative government.<sup>108</sup> The United States also maintains a limited military presence in the Sahel, with an estimated 1,500 troops assigned to the region.<sup>109</sup> Nevertheless, reports suggest the Pentagon has proposed ending its funding for Operation Barkhane and withdrawing its troops to focus on other international security priorities.<sup>110</sup>

Additionally, the United Nations’ MINUSMA operation, created by Security Council Resolution 2100 in April 2013, deploys over 15,000 personnel and is mandated to run through June 2021.<sup>111</sup> The operation’s forces are directed to “uphold the framework of the 2015 peace deal, rebuild the government’s security forces, and protect civilians.”<sup>112</sup> These tasks have not been met with a high degree of success, given Mali’s continued insecurity and political instability.<sup>113</sup> MINUSMA has been labeled the United Nations’ “most dangerous mission” as peacekeepers have been targets of a high volume of insurgent attacks.<sup>114</sup> In 2014, the G5 Sahel—comprising Burkina Faso, Mali, Mauritania, Niger, and Chad—was formed as a regional organization.<sup>115</sup> The group has since enacted the G5 Sahel Joint Force, with each nation committing to a central force designed to promote regional security.<sup>116</sup> However, the Force “remains a work in progress,” with concerns about its funding and coordination.<sup>117</sup> Furthermore, the Force has been unable to focus on a single target, as many armed insurgency groups operate within the region and a variety of conflicting military approaches are favored by the different member nations.<sup>118</sup>

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<sup>107</sup> John Campbell, *French-Led Decapitation Strike on AQIM in Mali*, COUNCIL ON FOREIGN RELS.: AFR. IN TRANSITION (June 9, 2020), <https://www.cfr.org/blog/french-led-decapitation-strike-aqim-mali>.

<sup>108</sup> John Campbell, *Foreign Troops Fighting Jihadists in the Sahel Face Criticism as Terror Grows*, COUNCIL ON FOREIGN RELS.: AFR. IN TRANSITION (Nov. 14, 2019), <https://www.cfr.org/blog/foreign-troops-fighting-jihadists-sahel-face-criticism-terror-grows>; see also Felter & Bussemaker, *supra* note 2.

<sup>109</sup> See *Destabilization of Mali*, *supra* note 5.

<sup>110</sup> Felter & Bussemaker, *supra* note 2.

<sup>111</sup> *MINUSMA Fact Sheet*, U.N. PEACEKEEPING (Nov. 7, 2020), <https://peacekeeping.un.org/en/mission/minusma>.

<sup>112</sup> Felter & Bussemaker, *supra* note 2.

<sup>113</sup> See *Destabilization of Mali*, *supra* note 5.

<sup>114</sup> *Id.*

<sup>115</sup> See FINDING THE RIGHT ROLE FOR THE G5, *supra* note 106, at i.

<sup>116</sup> See *id.*

<sup>117</sup> *Id.*

<sup>118</sup> *Id.*

The most visible threats to Malian civilians are the many armed jihadists that have capitalized on the nation's insecurity since 2012 to rise to prominence. Various factions originally aligned with the Tuareg separatist Movement for the Liberation of Azawad (MNLA) during the 2012 rebellion, but co-opted the movement to occupy large swaths of northern Mali that lacked state presence.<sup>119</sup> The combined French and Malian military operation in 2013 pushed jihadists out of some areas, but the factions were given a chance to regroup.<sup>120</sup> Jihadists have been successful in taking advantage of weak governance and civilian mistrust of state security forces to control land, gain power, and, in some instances, even provide an alternative form of governance.<sup>121</sup> Tracking jihadists operating in Mali is an incredibly complicated task, as groups often overlap, disband, or are subsumed into one another.<sup>122</sup> For the purpose of this paper, focus will be placed on two main groups: (1) ISGS, the Islamic State's affiliate in the Sahel, and (2) Jama'at Nasr al-Islam wal Muslimin (JNIM), an umbrella group that includes members from the al-Qaeda affiliates Ansar Dine, AQIM, the Katiba Macina, and the Movement for Oneness and Jihad in West Africa (MUJAO).<sup>123</sup> With both ISGS and JNIM claiming responsibility for recent attacks, threats to Malian civilians and security forces remain as high as they have been at any point since 2012.<sup>124</sup>

In response to rising insecurity and the absence of state forces in many areas, civilians also have established self-defense groups to protect their own communities.<sup>125</sup> These groups perform essential security functions in hard-to-reach areas, and act sometimes with approval of the Malian government and security apparatus.<sup>126</sup> However, local armed actors have also become sources of insecurity themselves,

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<sup>119</sup> See Andrew Lebovich, *Mapping Armed Groups in Mali and the Sahel*, EUR. COUNCIL ON FOREIGN RELS. (May 2019), [https://www.ecfr.eu/mena/sahel\\_mapping](https://www.ecfr.eu/mena/sahel_mapping).

<sup>120</sup> See *id.*

<sup>121</sup> See INT'L CRISIS GRP., SPEAKING WITH THE "BAD GUYS": TOWARD DIALOGUE WITH CENTRAL MALI'S JIHADISTS 3 (May 28, 2019), <https://www.crisisgroup.org/africa/sahel/mali/276-speaking-bad-guys-toward-dialogue-central-malis-jihadists> [hereinafter SPEAKING WITH THE "BAD GUYS"].

<sup>122</sup> See Lebovich, *supra* note 119.

<sup>123</sup> See *id.*

<sup>124</sup> See *CrisisWatch: Mali*, INT'L CRISIS GRP. (Oct. 2020), [https://www.crisisgroup.org/crisiswatch/print?page=1&location%5B0%5D=26&date\\_range=cust&t=CrisisWatch+Database+Filter](https://www.crisisgroup.org/crisiswatch/print?page=1&location%5B0%5D=26&date_range=cust&t=CrisisWatch+Database+Filter).

<sup>125</sup> See *A Massacre in Mali, and Its Underlying Dynamics*, AFRICAN ARGUMENTS (Nov. 8, 2019), <https://africanarguments.org/2019/11/08/africa-insiders-massacre-in-mali/> [hereinafter *A Massacre in Mali*].

<sup>126</sup> See "WE USED TO BE BROTHERS", *supra* note 16, at 93-94.



driving communal and ethnic conflict.<sup>127</sup> In fact, a “majority of deaths and displacements are due to increasing violence on a local level” rather than from jihadist attacks.<sup>128</sup> Disputes over resources between agricultural Dogon and Bambara ethnic groups and pastoral Peuhl groups have resulted in an alarming number of violent clashes.<sup>129</sup> The new Malian government must take proactive steps to ensure that these local protectors do not create persistent problems that derail efforts at security reform and peace.

### *B. Mali’s Failed Efforts at Security Reform*

Mali’s 2012 coup, Tuareg rebellion, and subsequent jihadist expansion illustrated the country’s lack of security capacity and effectiveness.<sup>130</sup> In the years between the 2012 and 2020 coups, seeking opportunities to reduce insecurity and promote peace, Mali has made some attempts at security sector reform (SSR). These endeavors have been largely ineffective at reining in the nation’s violence and have failed to adhere to several essential security themes, such as inclusion, cooperation, and prioritization of local needs.<sup>131</sup> Prior to the outbreak of conflict, in 2008, the government launched a Shared Governance of Security and Peace Program (PGPSP).<sup>132</sup> The PGPSP included several signs of progress: (1) a national policy document focusing on internal security; (2) capacity-building and human rights training programs; and (3) communal dialogue programs.<sup>133</sup> Despite these noteworthy goals, the PGPSP only “marginally improved civil-military relations,” due largely to limited adoption by security forces.<sup>134</sup> The 2012 coup, rebellion, and insurgency further limited the PGPSP’s impact and highlighted the lack of trust civilians had in a security sector that was either unable or unwilling to protect their communities.<sup>135</sup>

Attempts at reform immediately following the 2012 violence and transition of leadership also failed to reduce Mali’s insecurity. In November 2013, the recommendations of an SSR focus group led to

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<sup>127</sup> See *A Massacre in Mali*, *supra* note 125.

<sup>128</sup> *Id.*

<sup>129</sup> See “WE USED TO BE BROTHERS”, *supra* note 16, at 37, 46.

<sup>130</sup> See *Mali SSR Background Note*, *supra* note 101.

<sup>131</sup> See *id.*

<sup>132</sup> *Id.*

<sup>133</sup> *Id.*

<sup>134</sup> *Id.*

<sup>135</sup> See Lebovich, *supra* note 119.

the creation of a National Council for Security Sector Reform (CNRSS).<sup>136</sup> The council created security consultative committees in communities across the nation, including in the violence-afflicted north.<sup>137</sup> However, a lack of national and local ownership over the process and engagement with those most affected by the ongoing crisis have hampered the effectiveness of the council and committees in reducing violence.<sup>138</sup> The government also formed an SSR Multidisciplinary Working Group in 2014 that sought to “priorit[ze] reform and governance of the security sector” by strengthening accountability, institutional control, and coordination of the country’s security forces.<sup>139</sup> While these goals certainly would address many of the essential themes and components of security, the government has not been effective in following through to create progress.<sup>140</sup> Instead, insecurity has risen in many areas, and failures to engage local actors (including community self-defense groups) and to hold human rights violators accountable have done little to improve civilian trust in the security apparatus.<sup>141</sup> In 2019, President Keita proposed a national dialogue to respond to some of these shortcomings and “prompt reconciliations and [the] strengthening of democracy.”<sup>142</sup> Based on President Keita’s removal from office during the 2020 coup, it is clear that this dialogue process did not achieve its intended results, at least in the short term. It remains to be seen whether the new transitional government will reengage with the efforts of the CNRSS, the Multidisciplinary Working Group, or the national dialogue to reform existing security structures.

The 2015 Algiers Accord peace deal was a cause for hope, as the agreement was targeted to reestablish state control in the conflict-affected north, address community concerns, and reduce the influence of jihadist groups.<sup>143</sup> To a large degree, the Accord has ineffectively responded to these issues and failed to reform Mali’s troubled security sector. For example, many key parties, including self-

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<sup>136</sup> *Mali SSR Background Note*, *supra* note 101.

<sup>137</sup> *See id.*

<sup>138</sup> *See id.*

<sup>139</sup> *Id.*

<sup>140</sup> *See Destabilization of Mali*, *supra* note 5.

<sup>141</sup> *See* “WE USED TO BE BROTHERS”, *supra* note 16, at 4.

<sup>142</sup> *Some Progress Made Towards Security in Mali, but Still a Long Way to Go, Security Council Hears*, UN NEWS (Oct. 8, 2019), <https://news.un.org/en/story/2019/10/1048802> [hereinafter *Some Progress Made Towards Security*].

<sup>143</sup> *See* ARIEFF, *supra* note 8, at 1-2.

defense groups, were not included in the peace talks, leaving them without a seat at the table and still in possession of weapons in their violence-stricken communities.<sup>144</sup> Some parties included in the process have refused to disarm and demobilize, governing in areas across northern and central Mali where state authority remains absent.<sup>145</sup> Furthermore, the talks focused on a deal between the southern capital Bamako and the northern Tuareg communities that started the 2012 rebellion, but largely ignored the ongoing violence occurring in other areas.<sup>146</sup> Meanwhile, jihadist factions have regrouped and formed new alliances, expanded into central Mali, and acted as spoilers to undermine progress.<sup>147</sup> Finally, underlying security sector reform, accountability measures, and political power were not addressed in the negotiations. The “disconnect between the priorities of [Mali’s] citizens and those of its political elites” has resulted in reforms that “favor a narrow definition of security concerns” while ignoring the essential themes discussed in Part I.<sup>148</sup> Lacking inclusion, cooperation, and a holistic approach to reform, Mali’s 2015 peace deal has done little to reduce violence and make the lives of civilians any safer.

The regional G5 Sahel Joint Force is yet another security sector reform effort that has affected Mali since the start of conflict in 2012. The Force, founded in 2017 with United Nations Security Council support, has not become fully operational, lacking sufficient funding, training, and equipment from its five member nations.<sup>149</sup> The Force is modeled on the Multinational Joint Task Force (MNJTF), which promotes regional security in the Lake Chad Basin countries; however, the G5 nations are relatively poorer and lack capacity to maintain an effective body of troops.<sup>150</sup> More challenging are questions about coordination and cooperation among the member countries.<sup>151</sup> The G5 Force is unlikely to influence any meaningful domestic reforms within Mali, but the prospect of a cooperative regional body working together to defeat insurgencies is cause for hope. Nevertheless, Mali likely must undergo significant

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<sup>144</sup> See “WE USED TO BE BROTHERS”, *supra* note 16, at 3-4.

<sup>145</sup> See ARIEFF, *supra* note 8, at 2.

<sup>146</sup> *Id.*

<sup>147</sup> See *id.*

<sup>148</sup> Gavin, *supra* note 3.

<sup>149</sup> See *Mali: Events of 2019*, *supra* note 12.

<sup>150</sup> FINDING THE RIGHT ROLE FOR THE G5, *supra* note 106, at 5.

<sup>151</sup> See *id.* at i-ii.

internal security sector reform—engaging local stakeholders, holding human rights abusers accountable, and transforming existing structures—before it can commit itself to a broader regional initiative.<sup>152</sup>

### *C. Ongoing Security Threats in Present-Day Mali*

The most immediate threat to the safety of Malian civilians is the ongoing violence occurring across the nation, particularly in northern and central Mali. In 2019, at least 85,000 civilians were displaced from their homes due to conflict,<sup>153</sup> while more than 1,600 were killed.<sup>154</sup> At least 400 civilian deaths resulted from incidents of local violence between ethnic communities and armed self-defense militias, while JNIM and ISGS attacks claimed at least 150 civilian lives.<sup>155</sup> In one November 2019 massacre, ISGS killed over fifty soldiers in a coordinated attack on a military base in northern Mali.<sup>156</sup> Peacekeepers are also at risk, with sixteen MINUSMA members losing their lives in 2019<sup>157</sup> and over 200 killed since 2013.<sup>158</sup> At least 400 incidents of banditry also were recorded in 2016, victimizing thousands of civilians in northern and central Mali.<sup>159</sup>

The lack of civilian trust in the government and the military forces designed to protect them poses a major challenge to any lasting security progress in Mali. This mistrust is likely a legacy of Mali's former authoritarian rule, when security forces were used more freely by leaders to crack down on dissent.<sup>160</sup> Although the 2012 coup was initially met with civilian support as ineffective leaders were removed from office, the ascension of military officers to political positions also weakened trust.<sup>161</sup> With the August 2020 coup resulting in a “military government,” it is likely a matter of when—not if—civilians will begin to express mistrust in their new leaders.<sup>162</sup> The military's weak counterinsurgency

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<sup>152</sup> See Noyes et al., *supra* note 88.

<sup>153</sup> *Mali: Events of 2019*, *supra* note 12.

<sup>154</sup> *A Massacre in Mali*, *supra* note 125.

<sup>155</sup> *Mali: Events of 2019*, *supra* note 12.

<sup>156</sup> See *A Massacre in Mali*, *supra* note 125.

<sup>157</sup> See *Mali: Events of 2019*, *supra* note 12.

<sup>158</sup> See *Some Progress Made Towards Security*, *supra* note 142.

<sup>159</sup> *Id.*

<sup>160</sup> *Mali SSR Background Note*, *supra* note 101.

<sup>161</sup> See *id.*

<sup>162</sup> John Campbell, *Military Consolidates its Hold on Mali's Interim Government*, COUNCIL ON FOREIGN RELS.: AFR. IN TRANSITION (Oct. 7, 2020), <https://www.cfr.org/blog/military-consolidates-its-hold-malis-interim-government>.

campaigns against JNIM, ISGS, and the various jihadists operating in Mali have also reduced confidence in their leadership and left thousands exposed to ongoing violence.<sup>163</sup> Rather than undermine jihadist propaganda, security forces have enhanced the messaging of insurgents by failing to protect communities from violence or to respond with adequate investigations when communal clashes occur.<sup>164</sup> Jihadists seize on this reality to exploit tensions and propose an alternative to state authority, which some civilians, with no better option, have accepted.<sup>165</sup> A poor family living without state security in an exposed village may not agree ideologically with jihadists, but may be forced to turn to a group to satisfy its basic survival needs.<sup>166</sup> State actors have also not responded to armed militias that openly violate government bans, furthering civilian perceptions that the military does not care about protecting their communities.<sup>167</sup>

Civilian mistrust is enhanced by security force abuse of Malians and weak oversight of human rights violators.<sup>168</sup> In its counterinsurgency campaigns, the Malian security apparatus has increasingly used violence against civilians, engaging in “torture, forced disappearances, and [extrajudicial] killings.”<sup>169</sup> Abuse during detention and interrogations are also common,<sup>170</sup> and some forces reportedly engage in “predatory behavior,” demanding bribes at checkpoints or for access to basic supplies.<sup>171</sup> To a large degree, security forces have avoided accountability for these actions. While some extrajudicial killings have been investigated, these reviews are conducted internally by the military and have not led to any prosecutions.<sup>172</sup> Many view the government as lacking the “political will to hold security forces accountable,” opting for short-term reconciliation rather than pursuing effective oversight as a component of substantive security sector reform.<sup>173</sup> Civil society has also “lacked the access and expertise to be an

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<sup>163</sup> See “WE USED TO BE BROTHERS”, *supra* note 16, at 84.

<sup>164</sup> See *id.*

<sup>165</sup> See Corinne Dufka, *Confronting Mali’s New Jihadist Threat*, HUM. RTS. WATCH (May 11, 2016, 6:14 PM), <https://www.hrw.org/news/2016/05/11/confronting-malis-new-jihadist-threat>.

<sup>166</sup> See *id.*

<sup>167</sup> See “WE USED TO BE BROTHERS”, *supra* note 16, at 89-90.

<sup>168</sup> See Dion & Cole, *supra* note 26.

<sup>169</sup> *Id.*

<sup>170</sup> See *Mali: Islamist Armed Group Abuses, Banditry Surge*, *supra* note 42.

<sup>171</sup> Dufka, *supra* note 165.

<sup>172</sup> See *Mali: Events of 2019*, *supra* note 12.

<sup>173</sup> Dion & Cole, *supra* note 26; see also *Mali: Events of 2019*, *supra* note 12.

effective watchdog” over state security forces, and, as discussed in Part II.B, the government’s capacity to reform its existing governance and oversight structures has been extremely limited.<sup>174</sup> These government shortcomings explain, at least in part, why many Malians supported the recent coup that removed political leaders whom were viewed widely as ineffective and uncaring of the needs of vulnerable civilians.<sup>175</sup>

The proliferation of armed jihadists not only threatens the safety of Malians, but also poses danger to Mali’s neighbors. Following the initial 2012 insurgency, jihadist groups expanded into new territory in northern and central Mali and have “locked in a mutually hurting stalemate” with state forces.<sup>176</sup> These conflicts further amplified communal clashes by causing the presence of weapons and local militias to increase in response to rising violence.<sup>177</sup> Neighboring countries fear that the large swaths of territory lacking any Malian state presence will allow the spread of jihadists by providing a “safe haven” and “transit point” in the region.<sup>178</sup> Deaths from terrorism in Mali and bordering Burkina Faso and Niger reached 4,000 in 2019.<sup>179</sup> Additionally, jihadists often engage in transnational crime, such as “drug trafficking, kidnapping, and smuggling,” impacting the national security of other countries.<sup>180</sup>

Foreign and international security sector assistance has sought to eliminate these threats, but has largely been inadequate. One tactic pursued by foreign nations is to flood Mali with funding for security equipment and weapons.<sup>181</sup> For example, in 2020, the United States gave Mali nearly \$79 million in “foreign development assistance.”<sup>182</sup> On the surface, this gift might seem useful to a nation struggling to contain the many threats within its borders; however, only one percent of the funding applied to democracy and governance, with another five percent directed for peacebuilding security programming.<sup>183</sup> This budget, with nearly all foreign funding targeted as direct military aid to security services, reflects

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<sup>174</sup> Dion & Cole, *supra* note 26; *see also Mali SSR Background Note*, *supra* note 101.

<sup>175</sup> *See* Dion & Cole, *supra* note 26.

<sup>176</sup> SPEAKING WITH THE “BAD GUYS”, *supra* note 121, at 1.

<sup>177</sup> *See id.*

<sup>178</sup> *Destabilization of Mali*, *supra* note 5.

<sup>179</sup> Felter & Bussemaker, *supra* note 2.

<sup>180</sup> *Id.*

<sup>181</sup> *See* Dion & Cole, *supra* note 26.

<sup>182</sup> *Id.*

<sup>183</sup> *Id.*

donors' own interests—in this case, defeating terrorists—to the detriment of the conflict-affected nation's specific needs.<sup>184</sup> Since 2012, Mali has doubled its military spending as a percentage of its gross domestic product with nearly no impact on overall violence and insecurity.<sup>185</sup> These spending decisions have left the country with significantly less to expend on basic services, infrastructure, and much needed security sector reform and training.<sup>186</sup> Handling the rising violence will require a new approach from Mali and its international partners that goes beyond financial investments in the military.<sup>187</sup>

Tactical training and direct military support through the provision of intervention security forces are other common approaches undertaken by foreign nations in Mali. As the former colonial power in the region, France is the most important foreign actor in Mali.<sup>188</sup> The French maintain at least 4,500 troops in the Sahel, viewing the region as its “near abroad” and seeking to prevent Mali and its neighbors from providing “a staging and training area for radical attacks on European targets.”<sup>189</sup> However, France's intervention in Mali, which began in early 2013, has become more and more unpopular, with critics referring to the intervention as “neo-colonial”<sup>190</sup> or “forces of occupation.”<sup>191</sup> The French forces have aided Malian troops in some military victories, but casualties continue to pile up on all sides in what many refer to now as “France's forever war.”<sup>192</sup> Following the recent coup, France faces the even more difficult task of needing to cooperate with the new Malian leaders without appearing to pull the regime's strings from behind the curtain.<sup>193</sup> The coup leaders recently received training from France, the United States, and Russia, which raises further questions about the influence foreign security sector assistance is having on Mali's delicate situation.<sup>194</sup> French president Emmanuel Macron had signaled that the country

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<sup>184</sup> *See id.*

<sup>185</sup> *Id.*

<sup>186</sup> *See Mali SSR Background Note, supra note 101.*

<sup>187</sup> *See id.*

<sup>188</sup> *See Mali Coup Leaves Ex-Colonial Power France in a Bind, FRANCE 24* (Aug. 19, 2020), <https://www.france24.com/en/20200819-mali-coup-leaves-ex-colonial-power-france-in-a-bind>.

<sup>189</sup> Campbell, *supra note 10*.

<sup>190</sup> Campbell, *supra note 1*.

<sup>191</sup> *Mali Coup Leaves Ex-Colonial Power France in a Bind, supra note 188.*

<sup>192</sup> *Id.*

<sup>193</sup> *Id.*

<sup>194</sup> Dion & Cole, *supra note 26*.

is planning to scale back the number of Operation Barkhane forces remaining in Mali by the end of 2020, citing expectations that European and African allies will provide additional military support.<sup>195</sup>

Ultimately, despite massive financial and military investments in Mali, France and the international community have not discovered any permanent security solutions to protect Mali's citizens.

In the months immediately following the latest coup, jihadist and communal violence across central and northern Mali has continued unabated.<sup>196</sup> To some degree, it appears that the "Golden Hour" of opportunity has passed by as debates and security approaches have largely returned to their pre-coup status and the Malian security forces and their allies continue to pursue military campaigns against armed groups.<sup>197</sup> While the United Nations has encouraged negotiation as an alternative approach to the ongoing crisis, France continues to take a hardline policy that no dialogue with terrorists should be pursued.<sup>198</sup> Unfortunately, this has contributed to the maintenance of a status quo on the ground, as the "forever war" rolls on with no end in sight to the violence that has plagued Malian civilians for nearly a decade. Given the abundance of security challenges still existing today, aided by the failure of Mali and its allies to adhere to the central themes of successful security provision and reform, it is clear that new approaches must be pursued for any progress on the path toward peace and reconstruction to be made.

### **III. ALTERNATIVE APPROACHES AND OPPORTUNITIES FOR IMPROVING SECURITY IN MALI**

As outlined in Part II, Mali's recent attempts at security sector reform and protection of its threatened citizens have failed in nearly every respect. If anything, insecurity and violence have only worsened since the 2012 coup, Tuareg rebellion, and jihadist insurgency, despite modest efforts at reform and military campaigns designed to contain the crisis.<sup>199</sup> Fortunately, there are alternative approaches and steps that Mali's government and its foreign allies can pursue that adhere more closely to the core tenets

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<sup>195</sup> See *France 'to Reduce Troop Presence' in Sahel*, AL JAZEERA (Nov. 6, 2020), <https://www.aljazeera.com/news/2020/11/6/france-to-reduce-troop-presence-in-conflict-hit-sahel>.

<sup>196</sup> See *CrisisWatch: Mali*, *supra* note 124.

<sup>197</sup> See *id.*

<sup>198</sup> See *Mali Coup Leaves Ex-Colonial Power France in a Bind*, *supra* note 188.

<sup>199</sup> See *Destabilization of Mali*, *supra* note 5.



of security addressed in Part I. This third and final section discusses some of these opportunities and recommendations, projecting their potential effectiveness and responding to possible critiques.

*A. Recommendations for the Malian Government and Security Forces*

The first step Mali needs to take on the long road to peace is to embrace a holistic approach to reconstruction that recognizes security as merely one component of post-conflict stabilization.<sup>200</sup> Mali's inability and unwillingness to invest in the rule of law and governance structures have resulted in a maintenance of the status quo, leaving accountability and justice measures providing little to no confidence for victimized civilians.<sup>201</sup> As the continued insurgencies, communal violence, and recent coup illustrate, substantial financial investment in short-term military campaigns can only go so far in bringing an end to ongoing conflict.<sup>202</sup> Even long-term strategies in pursuit of peace will be ineffective if they focus exclusively on security provision; the government cannot simply identify problems, but must also offer sustainable solutions.<sup>203</sup> If Mali's new leaders can demonstrate the political will to reform oversight, transparency, and rule of law mechanisms, in addition to providing military support, it will go a long way toward ensuring the local buy-in that is required for sustainable security.

Obtaining the buy-in of local communities will also require that security provision and reform are inclusive processes. For far too long, Mali's decisions about security have been made by the country's most powerful and wealthy, with little to no input from the civilians actually impacted by such policies and practices.<sup>204</sup> Additionally, some have perceived foreign actors, particularly France, as dictating decisions behind the scenes, further limiting the voice of Mali's people in the decisions directly affecting their livelihoods.<sup>205</sup> One sign of progress is that the new transitional government has awarded ministerial positions to a variety of actors, including the Tuaregs, former armed groups, and members of the M5-RFP

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<sup>200</sup> See Hamre & Sullivan, *supra* note 25, at 91.

<sup>201</sup> See Dion & Cole, *supra* note 26.

<sup>202</sup> See *Destabilization of Mali*, *supra* note 5.

<sup>203</sup> See ARMSTRONG, *supra* note 27, at 1.

<sup>204</sup> See Gavin, *supra* note 3.

<sup>205</sup> See *Mali Coup Leaves Ex-Colonial Power France in a Bind*, *supra* note 188.

protest movement.<sup>206</sup> However, key cabinet posts and the presidency were awarded to military officers, leading to concerns that the civilian positions are “largely window-dressing” for a military-led government.<sup>207</sup> Any hopes of securing lasting peace will require Malian leaders—whether the current transitional officers or future civilian-led government leaders—to actively engage with communities and take their unique needs and concerns into consideration. Particularly in those areas where the state has been absent or weak, the government must reassert its commitment to the safety of its citizens, beyond simply offering a token ministry position as a symbolic seat at the table.

Any progress toward peace in Mali will depend on the government and forces prioritizing building civilian trust. This process of trust-building starts by demonstrating a commitment to protecting Mali’s most vulnerable by speeding up the deployment of security providers—military, police, or gendarmes—to areas affected by ongoing conflict and violence.<sup>208</sup> Providing oversight of the security forces is also essential, as victims of human rights violations should feel confident that perpetrators will be held accountable and not escape justice for their actions.<sup>209</sup> As of now, the lack of transparency from the government and military, particularly related to investigations and prosecutions of alleged security force abusers, inspires little confidence from civilians in their institutions.<sup>210</sup> Reforms of oversight and justice mechanisms can enhance the legitimacy of the state in the eyes of those who for far too long have felt abandoned by their leaders. Additionally, establishing a hotline or comparable instrument to safely and anonymously report threats and attacks may encourage defenseless civilians to call upon forces when needed without fear.<sup>211</sup> With so many insurgent groups seeking to insert themselves as alternatives to state authority, the government must learn from its mistakes to earn back trust before it is too late. Some communities will be reluctant to accept—or possibly even actively oppose—state officials and forces

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<sup>206</sup> *Military Appointed to Key Posts in Mali’s Interim Government*, FRANCE 24 (Oct. 5, 2020), <https://www.france24.com/en/20201005-military-appointed-to-key-posts-in-mali-s-interim-govt>.

<sup>207</sup> Campbell, *supra* note 162.

<sup>208</sup> See “WE USED TO BE BROTHERS”, *supra* note 16, at 4.

<sup>209</sup> See *id.*

<sup>210</sup> See *Mali: Events of 2019*, *supra* note 12.

<sup>211</sup> See “WE USED TO BE BROTHERS”, *supra* note 16, at 7.

whom they view as untrustworthy and “foreign” compared to the traditional and religious leaders on whom they have relied during conflict.<sup>212</sup> Thus, state actors should demonstrate genuine care for vulnerable civilians by listening to their specific needs and prioritizing their safety within the larger national security structure or risk isolating and radicalizing a larger segment of the population.

Professionalizing Mali’s security forces will also signal a positive step toward reforming the security sector and demonstrating a commitment to the safety of Mali’s people. Adequately equipping, training, and funding the armed forces is an initial step that can provide direct and immediate aid to struggling communities.<sup>213</sup> Despite the country’s increased military spending over the past decade, very little of that money has gone to the average Malian civilian, or even the average Malian soldier.<sup>214</sup> Furthermore, increasing the number of military police assigned to security forces may improve discipline and provide a much-needed check on some units’ unfettered power in areas lacking state authority.<sup>215</sup> As is the case with any security sector reform occurring around the globe, regularly monitoring and evaluating progress “against established principles and specific benchmarks” is critical and will enhance accountability for security forces, while also identifying areas for improvement.<sup>216</sup> Of course, implementing disciplinary and evaluation reforms will require substantial political will from Mali’s leaders; it is unlikely that the post-coup government will engage in such sweeping reform, as least until the civilian-led government comes to power following the eighteen-month transition period.<sup>217</sup>

The government and military must also take into consideration how they will reintegrate combatants into the existing security apparatus. While the disarmament, demobilization, and reintegration of jihadists poses its own unique challenges, of particular significance in Mali is the difficulty of

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<sup>212</sup> MAMADOU BODIAN ET AL., STOCKHOLM INT’L PEACE RSCH. INST., CHALLENGES OF GOVERNANCE, DEVELOPMENT, AND SECURITY IN THE CENTRAL REGIONS OF MALI 15 (Mar. 2020), [https://www.sipri.org/sites/default/files/2020-03/sipriinsight2004\\_2.pdf](https://www.sipri.org/sites/default/files/2020-03/sipriinsight2004_2.pdf).

<sup>213</sup> See *id.* at 6.

<sup>214</sup> See Dion & Cole, *supra* note 26.

<sup>215</sup> See *Mali: Events of 2019*, *supra* note 12.

<sup>216</sup> Ebo & Powell, *supra* note 34, at 50.

<sup>217</sup> Cf. *Bah Ndaw Sworn in as Mali’s Transitional President Following Coup*, AL JAZEERA (Sept. 25, 2020), <https://www.aljazeera.com/news/2020/9/25/bah-ndaw-sworn-in-as-malis-transitional-president-following-coup> (describing the transitional government that took power following the August 2020 coup).

reintegrating the many armed self-defense groups and militias that have formed to protect their local communities.<sup>218</sup> While these groups have provided essential security services in rural and hard-to-reach areas of the country, they are not a viable long-term substitute for state authority and security provision.<sup>219</sup> Some militia members may be able to assimilate into the existing security forces, assuming that vetting, training, monitoring, and a code of conduct are ensured and consistently applied by the state.<sup>220</sup> For some militia groups, these accountability measures will not be adequate, and those members alleged to have engaged in human rights violations should be disarmed and prosecuted just as abusive state forces should be.<sup>221</sup> While the military may be tempted to engage with any helpful self-defense group in its fight against jihadists, they must resist this urge and send a message that security force abuse of any kind will not be tolerated.<sup>222</sup> Hybrid security approaches, featuring both official armed forces and informal militia members, have increased in popularity and found some success in African countries, but Mali must ensure that all security providers are serving as protectors, rather than becoming problems.<sup>223</sup>

Jihadism and the various insurgency groups that have expanded across northern and central Mali pose the most visible threat to Malian security. The government must acknowledge that jihadist recruiting is not something that is just happening online, but that state failures and absence from many territories have directly propped up insurgents as viable alternatives in struggling communities.<sup>224</sup> Politicians and security forces must counter jihadist propaganda by crafting messaging that minimizes the appeal of an insurgency while also reinforcing the state's commitment to local security.<sup>225</sup> Terrorists "are not at the origin of the crisis," but are rather "a symptom of the situation."<sup>226</sup> Underlying systemic factors, such as a lack of social mobility, extreme poverty, and poor infrastructure, have created civilian perceptions that the

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<sup>218</sup> See Oswald, *supra* note 62.

<sup>219</sup> See *id.*

<sup>220</sup> *Id.*

<sup>221</sup> See "WE USED TO BE BROTHERS", *supra* note 16, at 6.

<sup>222</sup> See *id.* at 88.

<sup>223</sup> See VALTERS ET AL., *supra* note 31, at 3.

<sup>224</sup> See Dufka, *supra* note 165.

<sup>225</sup> See *id.*

<sup>226</sup> BERNARDO VENTURI & NANA ALASSANA TOURE, OUT OF THE SECURITY DEADLOCK: CHALLENGES AND CHOICES IN THE SAHEL 33 (2020), [https://www.iai.it/sites/default/files/venturi\\_toure\\_en.pdf](https://www.iai.it/sites/default/files/venturi_toure_en.pdf).

state does not care for their wellbeing.<sup>227</sup> These factors serve as the triggers for instability, creating the space through which jihadists have risen to prominence. Mali's security approach over the past decade has been primarily reactive, responding to problems as they arise. In contrast, a proactive approach that seeks to identify and satisfy basic civilian needs and anticipate potential security challenges may eliminate jihadist threats before they can even take root.<sup>228</sup> Tangibly demonstrating a commitment to civilians, by meeting the basic socioeconomic needs of their communities and including local voices in security decisions, will go a long way toward undermining the influence of insurgents.

Additionally, Mali's leaders can pursue channels for negotiation and communication with jihadist groups in an attempt to reduce conflict.<sup>229</sup> The power of this approach is demonstrated by the post-coup government's negotiations with JNIM that freed four hostage peacekeepers in exchange for prisoner releases last month.<sup>230</sup> A dialogue-based approach faces several obstacles, including the fact that Malian leaders, foreign allies, and insurgents generally reject efforts at conversation.<sup>231</sup> Many victims also oppose meeting with perpetrators, and jihadist goals of establishing their own institutions in opposition to the Malian state leave little room for compromise.<sup>232</sup> While these challenges are real and substantial, steps made by local religious and traditional leaders to "test the waters" of conversation with jihadists have shown some signs of promise, even if they are unlikely to produce a long-term peace agreement.<sup>233</sup> Pursuing dialogue as one component of a holistic security plan that also involves military operations, development and reconstruction, and the inclusion of local stakeholders and victims will have a better chance at bringing about positive steps toward peace.<sup>234</sup>

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<sup>227</sup> See BODIAN ET AL., *supra* note 212, at 3-4.

<sup>228</sup> See VENTURI & TOURE, *supra* note 226, at 8.

<sup>229</sup> See FINDING THE RIGHT ROLE FOR THE G5, *supra* note 106, at 11.

<sup>230</sup> Ruth Maclean & Elian Peltier, *Militants in Mali Free Four Hostages After Government Releases Prisoners*, N.Y. TIMES (Oct. 9, 2020), <https://www.nytimes.com/2020/10/09/world/europe/mali-hostages-france-italy.html?searchResultPosition=7>.

<sup>231</sup> See *Mali, France Differ over Holding Talks with Armed Groups*, AL JAZEERA (Oct. 26, 2020), <https://www.aljazeera.com/news/2020/10/26/mali-france-at-odds-over-talks-with-al-qaeda-linked-fighters>.

<sup>232</sup> SPEAKING WITH THE "BAD GUYS", *supra* note 121, at 16-17.

<sup>233</sup> *Id.* at 30.

<sup>234</sup> See *id.*

Finally, given the volatility of the various conflicts that have popped up in Mali over the past decade, it is likely that one or more “Golden Hour” opportunities will appear in the near future. For example, if the military were to eradicate jihadists from territory in central Mali, there may be a small window of time in which the government can reassert its authority before the same insurgency, or another faction, regroups and returns. Mali’s struggles to capitalize on similar “Golden Hour” moments since 2012 have only intensified the insecurity crisis, leaving victimized communities even more exposed to attacks.<sup>235</sup> Sending in armed forces and government officials alone will not ensure safety, but, coupled with governance and security sector reform and counterinsurgency campaigns, Mali can demonstrate a clear commitment to the long-term security of its civilians. Mali’s leaders should ensure that they coordinate interventions and military missions with all of the various security actors operating in the country. With so many security forces available—including the armed forces, informal militias, G5 Sahel Joint Force troops, French forces, and MINUSMA peacekeepers—one might expect that campaigns to eradicate jihadists would be more effective. Yet Mali’s leaders have been unable to coordinate these various bodies, leading to duplication of efforts and leaving many communities across northern and central Mali exposed to ongoing violence.<sup>236</sup> A cooperative approach to security provision that assigns clear roles and responsibilities and responds to emerging threats is much more likely to produce meaningful results directed toward post-conflict reconstruction.

#### *B. Recommendations for Foreign and International Actors in Mali*

The many foreign and international actors operating in Mali must also undertake new approaches to their intervention and aid strategies. First and foremost, foreign actors must acknowledge that military-led approaches cannot solve all aspects of the security crisis. Diplomatic policies may require more funding and sustained work than short-term military campaigns, but a new approach could aid Mali in the essential security sector and governance reforms required to provide long-term solutions.<sup>237</sup> Important to a

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<sup>235</sup> See *Destabilization of Mali*, *supra* note 5.

<sup>236</sup> See FINDING THE RIGHT ROLE FOR THE G5, *supra* note 106, at i-iii.

<sup>237</sup> See Feldstein, *supra* note 85.

diplomatic approach, however, is acknowledging that the push for peace and security reform must be led by the Malian people, with international actors playing a supplementary and supporting role.<sup>238</sup> As some have noted, there is a need for “African solutions to African problems.”<sup>239</sup> The United States, France, and any intervenor should take care to avoid imperialistic perspectives that view Mali as incapable of reforming and securing its future; foreign assistance will be critical to its continued progress toward peace, but that aid must not suppress the voices of Malian civilians.

While foreign concerns about containing jihadist expansions are valid, efforts to combat terror must be accompanied by diplomatic assistance in reforming governance and security, responding to civilian priorities, and including marginalized voices in decision-making processes.<sup>240</sup> An approach like the United States Institute of Peace’s Justice and Security Dialogues (JSD) program, which brings together civilians, security providers, and relevant stakeholders for community-level discussions, could serve as one model of effective diplomacy.<sup>241</sup> JSD-led dialogues have already shown signs of promise in some areas of Mali, as well as in other countries across the Sahel. Scaling up this program will require expending substantial time, energy, and resources, but a new diplomatic approach that recognizes the powerful potential inherent in local-level dialogues, mediation, and related programming could make significant strides beyond the temporary impact of a purely military-led intervention.

International actors can also apply pressure on Mali’s government by conditioning funding and support on guarantees that the country implement reforms, professionalize security forces, and hold human rights violators accountable.<sup>242</sup> Demanding specific transparency and monitoring mechanisms prior to donating funds or equipment may give the Malian government the push it needs to expend the political will that meaningful reforms require. The International Criminal Court, which opened an

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<sup>238</sup> See Gavin, *supra* note 3.

<sup>239</sup> *Rapid, Thorough Implementation of Peace Agreement Remains “Only Viable Path” for Stabilizing Mali, Under-Secretary-General Tells Security Council*, UNITED NATIONS (Jan. 15, 2020), <https://www.un.org/press/en/2020/sc14080.doc.htm>.

<sup>240</sup> See *id.*

<sup>241</sup> *Justice and Security Dialogues*, U.S. INST. OF PEACE, <https://www.usip.org/programs/justice-and-security-dialogues> (last visited Nov. 18, 2020).

<sup>242</sup> See Dufka, *supra* note 165.

investigation in 2013 of alleged war crimes in Mali, can apply further pressure by pursuing new allegations and seeking prosecutions of human rights abusers.<sup>243</sup> This external pressure might encourage Mali's leaders to reform the country's own justice and oversight measures and hold perpetrators accountable. Training and capacity building, led by the European Union, also remain important.<sup>244</sup> The EU can condition this critical support on concrete promises that Mali's security forces will commit to engaging in more comprehensive human rights training and accountability measures moving forward.

Further efforts should be pursued by the United States, France, and all intervenors to cooperate and coordinate with the various actors operating in the country.<sup>245</sup> With so many forces conducting military campaigns or providing support within Mali, it is critical to ensure that work is not duplicative or crowding out useful parties, but rather that each unit complements one another.<sup>246</sup> Regional cohesion, particularly featuring the G5 Joint Force, is critical given the proliferation of jihadist groups and armed actors rising to power across the Sahel. Donor funding and training is important for helping the Joint Force get its foot in the door to start making an impact.<sup>247</sup> As mentioned above, however, military campaigns alone will not ensure peace, so Joint Force missions must be accompanied by attempts at negotiation, diplomacy, and rooting out the causes of conflict in the five member nations.<sup>248</sup>

Following the recent coup, foreign intervenors have faced the difficult decision of whether to engage with Mali's new transitional government.<sup>249</sup> Frustratingly, the coup appears to have reset Mali back to its position following the 2012 coup, leaving intervenors wondering whether their years of investment have been worthwhile.<sup>250</sup> If the transitional government leaders demonstrate a genuine willingness to cooperate and pursue meaningful reforms, foreign and international actors should continue to engage in their support. Nevertheless, as previously discussed, intervenors can pressure the post-coup

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<sup>243</sup> *Mali: Events of 2019*, *supra* note 12.

<sup>244</sup> *See id.*

<sup>245</sup> *See* FINDING THE RIGHT ROLE FOR THE G5, *supra* note 106, at iii.

<sup>246</sup> *See id.*

<sup>247</sup> *See id.* at 5-6.

<sup>248</sup> *Id.* at 10.

<sup>249</sup> *See Mali Coup Leaves Ex-Colonial Power France in a Bind*, *supra* note 188.

<sup>250</sup> *Id.*



government by conditioning aid on guarantees that new approaches in security provision and new mechanisms for coordination and oversight will be adopted.<sup>251</sup> Ultimately, international actors—from the United Nations to France to the United States—should prioritize the needs of Mali’s citizens, regardless of who holds political office. National security interests in combating terrorism and reducing international crime go hand-in-hand with promoting the internal security of Mali’s conflict-affected communities.

## CONCLUSION

The August 2020 military coup has raised questions, produced new concerns, and highlighted the insecurity crisis facing the daily lives of Malian citizens. Despite quelling the 2012 Tuareg rebellion in northern Mali and pushing back jihadists from occupied territory in 2013, the Malian armed forces and government have largely failed to secure their nation.<sup>252</sup> In fact, jihadist groups and other armed actors have expanded their reach across northern and central Mali. In response to these threats, civilians have formed local self-defense forces that have engaged in communal and ethnic violence, further exacerbating insecurity. Mali’s efforts at defeating jihadists and containing conflict have ignored some of the basic themes of security.<sup>253</sup> For example, security approaches have been military-centric, ignoring civilian needs and diplomatic solutions.<sup>254</sup> A lack of accountability and transparency has allowed security force abusers to operate with impunity, while civilian victims are left with no recourse for justice.<sup>255</sup> Merely increasing military spending and equipping soldiers without reforming the underlying security apparatus has done nothing to move the needle and improve safety for the average Malian.<sup>256</sup> Furthermore, the 2015 Algiers Accord peace agreement has not lived up to its promise as signatories have regrouped and remain armed while new violent factions have formed.<sup>257</sup> For many Malians, life in late 2020 is more dangerous and unstable than it ever was in the midst of 2012’s rebellion, coup, and insurgency.

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<sup>251</sup> See Dufka, *supra* note 165.

<sup>252</sup> See *supra* Parts II.B-C.

<sup>253</sup> See *supra* Part I.

<sup>254</sup> See *supra* Part II.C.

<sup>255</sup> See Dion & Cole, *supra* note 26.

<sup>256</sup> See *id.*

<sup>257</sup> ARIEFF, *supra* note 8, at 2.

Yet, the recent coup presents a paradox: while the ouster of Mali's leaders can fairly be viewed as yet another negative byproduct of the nation's ongoing insecurity crisis, it also can be seen as an opportunity for new approaches to security. In the short-term, Mali's transitional government can try to capitalize on its "Golden Hour" to create positive change through security sector reforms. A few months following the coup, however, this window of opportunity might have closed as jihadist and communal violence persists.<sup>258</sup> The government can still work to invest in justice and accountability measures that complement military missions. Such acts will help to rebuild the civilian trust essential for any substantial progress to take hold. For far too long, Malians have been marginalized by elites; granting communities a voice in decisions about their own security is an easy first step in building back trust in the government. Mali can also take steps to professionalize its forces and engage in a hybrid approach that incorporates local self-defense groups that have been properly vetted, trained, and monitored. Counterinsurgency campaigns can be improved by demonstrating care for civilians, undermining insurgents' messaging, and removing perceptions that jihadist rule is a viable alternative to the state. While negotiations with jihadists face criticism and might not achieve longstanding peace, communication between groups and local leaders may bear fruit in the form of reduced tensions and minor concessions.<sup>259</sup>

Additionally, international actors can apply pressure on Mali's new leaders by adopting a diplomatic approach that conditions aid on the government improving transparency and coordination measures. France continues to aid in important missions and airstrikes, but the Operation Barkhane force likely will be scaling back its numbers by the end of the year.<sup>260</sup> MINUSMA's current mandate ends after June 2021, creating uncertainty over whether the total force of 15,000 peacekeepers will remain in Mali in the long term.<sup>261</sup> New leadership in the Oval Office also may alter the United States' foreign policy approach to military aid and diplomacy with Mali and its regional neighbors.<sup>262</sup>

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<sup>258</sup> See *CrisisWatch: Mali*, *supra* note 124.

<sup>259</sup> See *SPEAKING WITH THE "BAD GUYS"*, *supra* note 121, at i-ii.

<sup>260</sup> *France 'to Reduce Troop Presence' in Sahel*, *supra* note 195.

<sup>261</sup> *MINUSMA Fact Sheet*, *supra* note 111.

<sup>262</sup> See *MYERS*, *supra* note 39, at 27 (discussing the potential for an American approach that would serve both short-term and long-term interests through diplomacy and financial support).

Thus, despite the reality that Mali's recent coup is the culmination of the nation's many security shortcomings over the past decade, the change in leadership can present signs of hope for the future. Of course, if the post-coup government does little to alter its current security approach, address the needs of conflict-stricken communities, or reform existing structures, then violence and insecurity are likely to continue unabated. Short-term military campaigns, while important, must be supplemented by long-term structural changes for genuine reform to take root. As countless nations before Mali have discovered in their own post-conflict efforts, security is an ongoing process, one that must be part of a larger approach. Security is the foundation on which all other post-conflict reconstruction must be built, and an inability to establish a secure environment for all civilians is a surefire way to guarantee failure.<sup>263</sup> There are no easy answers and no one-size-fits-all solutions because every conflict is different. Mali's new government has a powerful opportunity and duty to reform its security sector, include marginalized voices, and build trust between civilians and the forces designed to protect them. The challenges the country faces are daunting, but proactive steps can, and must, be taken to ensure a safer and brighter future for all Malian citizens.

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<sup>263</sup> STROMSETH ET AL., *supra* note 24, at 137.