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DEVILS IN THE DETAIL: IMPLEMENTING MALI'S NEW PEACE ACCORD

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Summary

Two years after French and African forces reconquered northern Mali from jihadist and separatist armed groups, the Malian government and the main northern armed groups agreed a final peace accord in Algiers on 1 March. This sets out an agenda for political and security sector reforms necessary to devolve power and financial resources within a unified, secular Mali. However, the three main separatist groups have not yet signed the Algiers Accord, and there remains uncertainty over the nature and depth of the political reforms being offered. Assuming the Accord is signed later this month, rapid progress in development investment, restoration of state services, national and local reconciliation, and the demilitarisation of the North will be necessary to maintain momentum over a rocky transition period well into 2016.

The Accord

Agreement in Algiers comes after seven months of negotiations between the government and a diversity of northern Malian groups, which have been engaged in various incarnations of armed struggle since the end of 2011. French intervention in January 2013 killed or scattered most foreign jihadist elements but resulted in an armed stand-off between separatist rebel groups, mostly representing Tuareg and Arab communities, and the national armed forces.

Initial progress towards a peace deal was made in mid-2013 but subsequently squandered by Mali's newly elected government, which did not believe it needed to make concessions to northern armed groups. Fighting in November 2013 and May 2014 effectively drove government forces out of Kidal region and convinced reluctant Malian politicians to pursue both a negotiated peace settlement and the mobilisation of ethnically based loyalist militia in the North.

The parameters of the accord have been known for three months, while the parties procrastinated on making a final agreement and skirmished for control of the Tilemsi valley, southwest of Kidal. The main features of the agreement include:

- Commitment to a unified, secular Malian state, rather than an asymmetric federation with autonomy for the northern regions.
- Official use of the word Azawad, the Tamasheq word for the traditional Tuareg territory in northeast Mali, as a synonym for Mali's three northern regions.
- Devolution of power and financial resources to directly elected regional assemblies in the North.

- Disarmament, Demobilisation, Reintegration and Reinsertion (DDRR) of northern armed groups, including merging an undefined number into the national security forces.
- Investment in northern economic development to end its disparity with the rest of Mali, funded by a new development conference for external finance and an agreement on national revenue-sharing.
- A commitment to pursue national reconciliation within Mali and within the North.
- A commitment to investigate human rights and war crimes allegations against all sides to the conflict.
- Greater inclusion of the northern population in national institutions, including more elected seats in the National Assembly, seats for traditional leaders in a new Senate, and guaranteed representation in government, bureaucracy and diplomacy.

Much is left to elaborate in the implementation of this ‘final’ accord. It is a compromise that falls far short of the rebellion’s goals of either an independent Azawad or a shari’a-based Mali. But it is also an elite bargain that secures a greater and more lucrative role for northern traditional leaders in national institutions while protecting the de facto autonomy of the most rebellious Tuareg clans in the remote Kidal region.

The Parties

It matters very much who has signed (or will sign) the accord, which external parties have guided the negotiations, and who has been excluded. Talks in Algiers were conducted between the Malian government and six northern Malian armed groups. A considerable achievement for Mali in 2014 was to widen the number of armed groups to include its own local allies and proxies, some of which it had split from the armed opposition over the previous year. Thus, half the represented armed groups were broadly pro-Bamako (the Malian capital, 1,000 km to the southwest) and half are separatist.

None legitimately represent northern civil society, which was not included in the talks. Also excluded are the foreign-origin jihadist groups such as al-Qaida in the Islamic Maghreb (AQIM) and the Movement for Unity and Jihad in West Africa (MUJAO), which were the real powers in control of most of Azawad from June 2012 to January 2013. Another security actor that has emerged since the negotiations began, and which is not represented, is the Imghad Tuareg and Allies Self-Defence Group (GATIA), although this is thought to be controlled by Bamako.

The three separatist groups, unifying their negotiating position through the Azawad Movements Organisation (CMA), are:

- The Azawad National Liberation Movement (MNLA) – the main secular Tuareg separatist group;
- The High Council for the Unity of Azawad (HCUA) – an Islamist movement led by Tuareg traditional leaders formerly associated with the Ansar Dine jihadist group;
- The Azawad Arab Movement (MAA) – the main Arab or Maur separatist movement.

These three groups have not yet signed the Algiers Accord, insisting that they need time to explain the agreement to and to convince their supporters in northern Mali. They have until the

end of March to do this. A series of protests in northern towns against the agreement suggest that they will not find this easy.

External participation in the negotiations was broad. While Algeria played the key role, all of Azawad's neighbours and Mali's Sahelian partners (Burkina Faso, Chad, Mauritania, Niger) were also involved. International organisations included the African Union, Economic Community of West African States (ECOWAS), Organisation of Islamic Cooperation (OIC), the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA, which has nearly 10,000 peacekeepers in northern Mali), and the EU, which is the main financier of security and development programmes in Mali. Not included (except through the EU) was France, the primary military actor in Mali and the Sahel.

Algeria has been the mediator and guarantor of previous peace agreements in northern Mali, which it sees as part of its sphere of influence. Algerian interests include regulating the activity of Algerian-origin jihadist groups such as al-Qaida in the Islamic Maghreb (AQIM) and preventing regional rival Morocco from gaining security influence in the Sahel. Algerian security elites may also have interests in the trans-Saharan trafficking economy that is facilitated by the Malian state's very weak control of northern regions and border crossings.

Political Disaccords

Despite seven months of negotiations, the devil remains in the detail of the Algiers Accord. The crux of the agreement is the devolution of powers to regional assemblies, rather than a single legislative entity for the entire North. Mali is currently divided into eight regions (plus the capital district), of which three regions constitute the North, or the notional state of Azawad. Currently, regions have only presidentially appointed governors and no legislatures. The current units of elected local authority in Mali are Cercles and Communes, of which there are 13 and 87, respectively, in northern Mali. These have councils and chairmen but not much authority or independent resources.

In the past, controlling patronage through the Cercle councils has been the main political resource of the Malian national government in the North. Local politicians, often from chiefly families, tend to be co-opted by the ruling party in local election years and become the conduits of state funds to their local networks. A degree of official corruption is thus built into this patronage system. The darker side to this arrangement has been that central government and security forces have turned a blind eye to the trafficking activities of local officials in the North. A proliferation of multiple centres of political power has suited the central government, allowing it to play-off or balance rival commercial interests, clans and ethnic groups.

Under the Algiers Accord, regional governors (the presidents of directly elected regional assemblies) would be much more powerful figures, including with control over local internal security forces, and access to 30% of national revenues agreed to be spent through regional governments. Given the assumed tripartite division of the North, Bamako can probably live with this arrangement, although it makes co-opting and controlling local politicians more difficult.

While the Accord gives regions and local authorities the potential to merge or rezone themselves, the chance of an all-Azawad region forming from the existing Timbuktu, Gao and

Kidal regions is slim, so there would be no Azawad administration or president as such. Instead, the term Azawad could be legitimately used by an Inter-regional Consultative Council to oversee a joint Development Zone for the three northern regions. This would be a sort of indirectly elected assembly (or economic and social council) for Azawad.

Given the divisions within northern Malian society, the separatist CMA groups are only likely to win electoral control of the Kidal region, an area of semi-desert the size of Bangladesh. With a peacetime population of barely 70,000, or about 5% of the North's population, this is the only region with a Tuareg majority. It is the fief of the Ifoghas clan, the mainstay of the MNLA and HCUA, and controls all of the lucrative border-crossings to Algeria. De facto, since at least the fighting of May 2014, all of Kidal region is controlled by the MNLA and its allies.

A best case scenario for the CMA may be to accept control of Kidal region and the Algerian border, rename it something like Inner Azawad, and lobby for its expansion via amalgamation of neighbouring cercles or communes under MNLA or MAA control. The Algiers Accord explicitly allows renaming of administrative units (unilaterally) and their rezoning (with Bamako's consent), including for reasons of 'social cohesion'.

Timbuktu and Gao regions probably have more 'black' Malian residents (mostly from the traditionally loyalist Songhai, Peul, Bozo and Bambara ethnic groups) than Tuaregs and Arabs, and there are significant rivalries within the latter two 'white' Malian groups. For example, the Imghad and Iwellemeden Tuareg clans of Gao region have generally been loyal to Bamako against their rivals, the Ifoghas, in recent years, as have many Arabs from the riverine towns of Timbuktu region. Indeed, one cause of recent revolt by the high-caste Ifoghas (MNLA) and their Kunta Arab allies (MAA) was past Malian government policy of subverting tributary relationships between clans through the preferment of traditionally subordinate or vassal clans such as the Imghad Tuareg and Tilemsi Arabs. With no local majorities, Bamako has a better chance of maintaining its influence in these diverse regions, where it already has some control (with MINUSMA and French troops) of most towns.

The larger question is whether regional assemblies in which power-sharing is a necessity will be appropriate fora for reconciliation, or whether they will exacerbate divisions and exclusions within northern society. An obvious, and quite likely, example would be if loyalist parties have the majority of seats in the Gao and Timbuktu assemblies, marginalising parties favourable to separatism or representing communities such as rural Tuareg. Whereas Tuareg and Arab elites are more or less guaranteed representation in Malian national institutions, it does not necessarily follow that they will share power in northern institutions. This is crucial, because the Malian conflict is much more within the North than between North and South.

Security and Development

One factor that could have influence over the acceptance of the current settlement – distinguishing it from the 1992 and 2006 peace deals, for example – is the speed of implementation. The last two regional peace agreements took over three years to begin to be implemented, during which time low-level fighting and fragmentation continued. Bamako

probably sees such delays to its advantage as frustration at the slow pace of normalisation in the North can more easily be blamed on the separatists.

Two ways of speeding this up would be to begin the process of DDRR and merger into the Malian security forces much earlier, and to move forward quickly with investment in northern development. Some of the groundwork for this has been laid, benefitting from the higher level of international concern for Mali in the wake of the 2012 jihadist takeover. For example, the EU and its member states pledged €3.25 billion in reconstruction and development assistance at a conference in May 2013 and a large EU Training Mission (EUTM) is in place near Bamako and committed to retraining and restructuring the Malian security forces.

However, the 2014 fighting and the government's subsequent shift to mobilising loyalist Tuareg and Arab militia outside of its regular command structure has undermined confidence in the security forces. Some may prefer to await the creation of new 'police' forces responsible to the new regional administrations. Even if they sign up to the Algiers Accord, which foresees disarmament within one year, it seems unlikely that the CMA groups will actually disarm before the political reforms are in place. This is foreseen to take up to 18 months (current deadline: September 2016) and is likely to be dependent on Bamako's commitment to constitutional reform and a popular referendum across Mali. Jockeying within the North over the composition of the new regions could also delay things.

Since the Azawad/Northern Mali Inter-regional Consultative Council that is supposed to oversee development spending is to be composed of representatives of regional assemblies, it may also be that the gains of such investment are little felt before late 2016. This is a long period of armed uncertainty, when northern Mali will be dependent on the goodwill of its rather populist politicians, the dynamics of a very uncertain regional security situation, the willingness of the UN (and troop contributing countries) to continue to deploy in the face of heavy casualties from jihadist attacks, and the attention of European and Arabian donors easily distracted by more newsworthy crises in Libya and the Middle East.

Conclusions

The most likely outcome of the Algiers Accord is an electoral recognition of the post-2014 status quo, with the separatist groups controlling the desert interior and Algerian border, and Bamako and its local allies loosely controlling the more populous, better connected zones along the River Niger. This division of power has been the general outcome of all Malian peace processes since the 1960s. Given that all these peace processes have unravelled, this is a harder sell for the separatist groups, which had promised their followers more robust autonomy within a federal Mali, if not a united and independent Azawad. While local elites will benefit from greater inclusion in national and regional assemblies and bureaucracies, the gains for ordinary citizens and the rank and file of armed groups may be less obvious.

States that wish to support the implementation of the peace accord, should the CMA sign up to it later this month, can do so by providing pressure and resources for the early implementation of the agreement, especially support to intra-Malian and especially intra-Northern reconciliation efforts and the restoration (or establishment) of state services such as health,

education and justice provision across the North and especially in Kidal region. DDDR is a very sensitive issue that will probably have to be taken at the pace of the armed opposition. However, pressure can be exerted on the Malian government to reduce its militarisation of sensitive areas and to demobilise various militia, including those outside the Algiers Accord, such as GATIA. MINUSMA can also be resourced to protect civilians in the volatile northern regions in order to boost confidence among the armed opposition while they are cantoned and demobilised.

Achieving peace will be a step by step process, and there are certainly many spoiler groups still present in northern Mali. The Algiers Accord is a significant step in this direction, but it provides, as its Algerian mediators say, at best a compass to a final destination that is unclear and still far off.

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