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“Addressing Developments in Mali: Restoring Democracy and Reclaiming the North”
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Mr. Chairman and members of the Subcommittee, on behalf of the National Democratic Institute (NDI), I appreciate the opportunity to discuss recent political developments in Mali. Since Mali's first steps toward democratization in the early 1990s, NDI and other U.S.-based nongovernmental organizations have worked with Malian legislators, party leaders, and civil society activists to support the country's nascent democracy. Early this year, and with funding from USAID and other partners, NDI was providing technical assistance to citizen observers of the electoral process, fostering inter-party dialogue, and taking steps to increase the participation of women and youth in political processes. I last visited Bamako in October, and met with civic and political leaders to gauge the level of election preparations and their overall commitment to a democratic transition.

Introduction

Today Mali faces three interwoven crises: an on-going armed occupation of two-thirds of the country and a humanitarian emergency in the north that has displaced an estimated 450,000 people¹; persistent political uncertainty in the capital, Bamako; and a severe food shortage that is affecting the entire Sahel region.² Should Mali rebound from these crises, Malian democrats and the international community would need to better understand the reasons for the political alienation of citizens, including youth, women, and ethnic minorities from the previous democratically-elected government so as to avoid future backsliding. On the other hand, if the current situation were to be allowed to fester, they would have a negative impact on its neighbors in West and North Africa, especially countries such as Niger, Mauritania, and Algeria, with which Mali shares common and often porous borders.

The military *coup* of March 2012 brought to the fore Malian disenchantment with the country's fledgling democracy under the previous government of President Amadou Toumani Touré. While the immediate trigger of the *coup* may have been the military's frustration with losses incurred in fighting separatist rebels and jihadists in the country's northern regions, the population in Bamako showed surprising indifference to the coup while it was in progress, and was willing to embrace the group of junior officers that staged the coup once President Touré agreed to step down. The overthrow of Touré surprised many in the international community, especially because it came six weeks before presidential elections in which Touré was not a candidate. However, the country's democracy showed many weaknesses in the last decade,

¹ For more information on the humanitarian crisis in northern Mali, see UN HCR: “Mali Emergency.” Available: <http://www.unhcr.org/pages/4f79a77e6.html>

² For more information on the Sahel food crisis and its impact on Mali, see World Food Program “Sahel Crisis: Country by Country.” Available: <http://www.wfp.org/stories/sahel-crisis-by-country>

notably: consistently low voter turnout; allegations of widespread corruption; ineffective institutions; and the embrace of a “consensus politics” model in which almost all political parties aligned their policy to those of the head of state.

Shortly after the March *coup* regional organizations -- notably the Economic Community of West African States (ECOWAS), the African Union, and the international community at large -- strongly condemned the military’s incursion into politics and hence denied the *coup* leaders legitimacy. By April 2012, ECOWAS had negotiated an agreement whereby the military junta relinquished power to the former speaker of the National Assembly, who became interim president and who appointed a prime minister after consultations with the junta.

Competing Power Bases in Bamako

Under the agreement brokered by ECOWAS, the *coup* leader, Captain Amadou Sanogo, ceded power to the transition government. Despite these early signs of a swift return to civilian rule, the junta continues to influence decision making in Bamako and thereby threatens to undermine prospects for a prompt resolution to the security crisis in the north and the timely organization of elections in 2013. Many months after the *coup*, Captain Sanogo and his allies dominated public space and discourse, with frequent appearances on the state-run radio and television station. By tapping into the frustrations of citizens who were marginalized by the previous government, Sanogo gained early support among unemployed youth and others who organized rallies in his favor. Also, some military officers with close ties to Sanogo were appointed to key positions in the transition government, such as the Minister of Defense and Veterans Affairs, the Minister of Territorial Administration, Decentralization, and Territorial Integrity, and the Minister of Internal Security and Civil Protection. As recently as October 2012, it was revealed that Sanogo had been appointed chairman of the Committee on Security Sector Reform in August -- a position that allows him to wield considerable influence within the Malian military even as that position further undermines both the credibility of civilian authority in Bamako and the professionalism of the Malian armed forces.

Mali’s current transition often looks like a “three-legged” executive because of the ambiguous division of power and influence among three men -- interim President Dioncounda Traoré, who derives his power from the Malian constitution and ECOWAS support; Prime Minister Cheick Modibo Diarra, who was given expanded powers in the initial agreement that forced the junta to give up power after the *coup*; and Captain Sanogo, who seems to pull the levers of power from behind the scenes.

Upon President Touré’s resignation on April 8, the Malian Constitutional Court conferred power to the then president of the Malian National Assembly Dioncounda Traoré. President Traoré, a member of Mali’s largest political party, ADEMA, is viewed by critics as emblematic of the “old guard” of the Malian political elite whose mismanagement contributed to citizen discontent and the military *coup*. In a brazen show of disrespect for President Traoré, supporters of the military junta staged demonstrations and physically attacked Traoré at the presidential palace on May 21. He was later evacuated to France for medical attention, and returned two months later, but has seemed hesitant in asserting his leadership.

After consultations with party leaders and the military junta, President Traoré appointed Cheick Modibo Diarra as prime minister in a government largely composed of technocrats. Prime Minister Diarra is criticized by his opponents for his family ties to the former autocrat Moussa Traoré, who ruled Mali from 1968-1991 (Diarra is Traoré's son-in-law) and his alleged closeness with Captain Sanogo. In a move that is seen as possibly intended to curb the personal partisan ambitions of Diarra and other members of the transition government, ECOWAS declared in November that none of the transitional leaders would be allowed to contest the presidential elections of 2013.³

On August 20, Traoré named a broad-based government of national unity. He also declared his intention to appoint two transition vice presidents and hold a national convention to validate his government's proposed structure and a transition roadmap. However, as of early December, the new transition bodies have not been created, and the government had yet to release a detailed roadmap for the elections or the transition process. Mali's 147-member National Assembly's mandate has been extended until the end of the transition; but its responsibilities could conflict with those of the National Transition Council (*Conseil Nationale de la Transition* – CNT), should one be created as proposed by President Traoré.

Against this backdrop, UN Security Council Resolution 2071 (2012) of October 12 was welcome news. It clarified the leadership structure in Bamako and strengthened the hand of the interim president by recognizing his legitimacy and urging him to present a timeline for elections. The resolution also reiterated its previous demands that remnants of the military junta refrain from further interference in the political process.⁴

Without strong political leadership and clear decision-making structures in Bamako, Mali's transition government would be challenged to instill much-needed confidence regarding its ability to achieve the two primary goals of the transition which are to reconquer the country's northern regions in the immediate term and organize credible presidential and legislative elections before May 2013. Similarly, the lack of such leadership would deprive development partners and the international community in general of a strong and reliable anchor in the Malian government to facilitate partnerships and technical assistance in meeting these two goals.

Evolving Political Landscape and Crystallizing Disagreement

Since March 2012, new political movements and alliances have emerged in Mali. Currently, there are seven major political groupings that are likely to influence the country's political transition and its future:

- The Unified Front for the Safeguard of Democracy and the Republic of Mali (FDR) is a grouping of political parties, civil society organizations and labor unions that was opposed to the *coup* in March and continues to speak out against the national convention

³ The full text of ECOWAS's statement, Communiqué 311/2012, "ECOWAS determined on its two-pronged approach to resolving Mali crisis," dated November 12, 2012, is available at: <http://news.ecowas.int/presseshow.php?nb=311&lang=en&annee=2012>

⁴ The full text of Resolution 2071 is available at: <http://www.un.org/News/Press/docs/2012/sc10789.doc.htm>

avored by Captain Sanogo. At various times, the FDR also has called for the resignation of Prime Minister Diarra.

- The Alliance of Patriotic Democrats for an End to the Crisis (ADPS) is another anti-putsch grouping led by former Prime Minister Soumana Sacko.
- The Alliance IBK 2012 is a coalition supporting former Prime Minister Ibrahim Boubacar Keita, a leading presidential candidate prior to the *coup*. Originally part of the FDR, the Alliance IBK separated from the group in April but still shares the FDR's staunch opposition to the *coup* and its advocacy for a swift return to democracy.
- At the other end of the spectrum, the Coordination of Patriotic Organizations in Mali (COPAM) is the most prominent organization affiliated with Captain Sanogo and the *coup* makers. COPAM has organized large demonstrations in Bamako demanding the resignation of President Traoré and protesting against foreign military assistance in the reconquest of the north.
- The Convergence for Saving Mali (CSM) is a coalition formed in support of Prime Minister Diarra.
- The Force for Reconciliation, Democracy, and Peace (FRDP-Mali-Ko) aligns itself with COPAM and others in staging demonstrations in favor of Captain Sanogo.
- The Coalition of Immigrants from the North (COREN) is a heterogeneous group of northerners that seeks to draw attention to the plight of Malians from the northern regions and urges a swift reconquest of the three occupied regions.

The recent controversy over the national convention on the transition roadmap is illustrative of a sharp political discord between junta sympathizers and their opponents that will continue to fester in the coming months. The FDR threatened to boycott the convention, claiming that participation had been stacked in favor of pro-junta forces and that its input had not been incorporated into the agenda. The transition government responded by delaying the convention until December 11-13, although the participation of the FDR and its allies has yet to be confirmed.

Imminent Military Action in Northern Mali

From most indications, an international military intervention to assist the Malian military to retake the north is inevitable. The Malian government, ECOWAS and the African Union have asked for military intervention as a matter of urgency. Extremists continue to consolidate their control over the three northern regions of Gao, Kidal, and Timbuktu; historic sites are being destroyed; and sharia law is being rigorously implemented in those areas. Many Malians are fearful that without military intervention, the partition of their country would become a geopolitical reality and extremist elements would have found a safe haven and enormous territory from which to destabilize other fragile democracies in the sub-region and beyond. The persistent insecurity that now prevails in northern Mali would have a significant impact on the credibility of the 2013 electoral process if the estimated 450,000 displaced citizens are not able to vote and the government is not able to hold elections in the three occupied regions.

The recent UN Security Council resolution on Mali lays the groundwork for regional and international support to the Malian government in organizing a military operation to retake the north of the country. ECOWAS is prepared to deploy approximately 3,300 troops to assist in

this effort. While dissonant voices have emerged with regard to the exact timing of such an intervention, it is hoped that regional and international efforts to support the Malian military will bolster the country's transition leadership, provide strategic guidance, and embolden a now weakened and demoralized Malian military. The role of countries such as Algeria, Mauritania, and Chad that are not members of ECOWAS, but share a common border with Mali and/or have combat experience in the Sahel, would be crucial in such a military undertaking.

Two Benchmarks on the Horizon: Military Operation in the North and Countrywide Elections

The first half of 2013 will be of paramount significance to Mali's political transition as two critical benchmarks would have to be met: the ECOWAS-mandated May 2013 deadline for the holding elections and swearing in of a civilian democratically elected president; and the launch of a military operation to retake the country's three northern regions.

When I was in Mali in October, the country seemed to face a conundrum of sorts in that some Malians argued that elections cannot be conducted in a peaceful and inclusive manner while the north is occupied by extremists; others believed that the government in Bamako may lose its legitimacy at the expiration of the May 2013 deadline granted by ECOWAS, and that elections would therefore need to be held by this date so as to elect a government with the legitimacy to tackle many of the country's challenges. Holding elections before May 2013 would require significant technical and political commitments on the part of Malians and development partners, as a number of challenges would have to be addressed with urgency. Increasingly, Malians are demanding that the impending ECOWAS-African Union (AU) military operation not preclude active preparations for national elections.

As of today, the transition government has yet to release a credible roadmap for elections. While an audit of the voter register is underway, the government has not consulted other elections stakeholders, such as political parties and civil society organizations, to obtain their buy-in to the process. The government has not yet updated the voter register, nor has it defined how to facilitate voting by displaced citizens and Malian refugees in neighboring countries. As a result, many Malians are doubtful that the transition will be as broadly inclusive and participatory as originally hoped. For example, according to the electoral law, Mali's voters list should have been updated from October 1 - December 31, 2012. This did not occur, even in the regions of the country where the security situation is stable. Hopefully, when the political decision is made to proceed with election preparations, the Minister of Territorial Administration would invoke a section in the electoral law that allows for an exceptional update of the national voter registry outside of the usual October-December timeframe.

Concrete steps would have to be taken to include displaced populations and Malian refugees in the electoral process, given that the electoral law allows for Malians residing outside the country to vote. Working in collaboration with organizations such as the Office of the United Nations High Commissioner for Refugees (UNHCR) that maintain statistics on displaced persons and refugees, the government could update the voter rolls to include the now-significant population of refugees in neighboring countries and internally displaced persons. Some analysts speculate that even if the military operation succeeds in liberating key cities in the north relatively quickly,

some remnants of occupying forces may retreat into the more remote areas of the north. Under these circumstances, holding credible elections in major cities in these northern regions would be the strongest signal possible of Mali's exercise of sovereignty over its national territory and of early steps at rebuilding its democracy. Organizing elections in the north would be challenging. Nevertheless, it would reassure Malians that the country is on track to restoring national unity and civilian democratic rule across its entire territory.

Looking Forward – a Looming Crisis of Legitimacy

As the electoral deadline of May 2013 approaches, questions about the continued legitimacy of the Malian government will likely be raised by various domestic constituencies and their international allies.

An early release of the electoral timeline would help calm political tensions and assure Malians that the transition government has the political will to work toward restoring the country's democracy and rebuilding its democratic institutions. The recent declaration by ECOWAS leaders that members of the transition government would not be permitted to stand as candidates in the 2013 polls is an important step in building citizen confidence in the impartiality of those leaders as they execute the transition. Public commitments by these officials themselves would provide further assurances and invite greater citizen engagement in the electoral process.

The transition government must continually and clearly communicate government plans and actions to the public, and be cognizant of the potential crisis of legitimacy that looms on the horizon once the May 2013 date lapses.

Conclusion

For decades, Mali faced governance challenges, even as its leadership continued to profess its commitment to democracy. Indeed, the quick unraveling of Mali's democracy is yet another reminder that multi-party elections alone, even when regularly held, are not a guarantor. As we seek to assist Malian democrats forge a path toward elections in 2013 and restore the country's democratic institutions in the post-election phase, we must draw hard lessons from this experience to make sure that future institutions are more inclusive, effective, and transparent in their management of public affairs and resources.

To do so, the international community must maintain pressure on *coup* leaders to return definitively to the barracks and avoid any undue influence on the governance and electoral processes. Development partners can also contribute to a credible transition by encouraging meaningful, inclusive dialogue around political and electoral issues, as many political party leaders and civil society activists feel excluded from decision-making process. They should provide more technical assistance to Mali's shaky transition government in finalizing and widely publicizing, as soon as possible, a credible electoral timetable. The sooner such a timetable is released, the greater prospects will be for higher public confidence in the country's prospects to transition back to civilian democratic rule. At the same time, the international community needs to harmonize its approach toward the simultaneous pursuit of polls that would lead to a legitimately elected government in Bamako and military operations to retake the north.

Contradictory public statements that take the military option off the table in the short or medium term may only serve to embolden the extremists, allowing them time to reinforce their presence. Such declarations also exacerbate fears among many Malians that there may be a conspiracy afoot to break up their country.

Restoration of U.S. aid programs to Mali would have a positive impact on the country's ability to tackle many of the political and technical challenges I have outlined today. The U.S. government can be a valuable interlocutor with Malian partners in shaping transition and electoral processes. While some of the missteps or sluggishness of the past few months can be attributed to inexperience on the part of Malian transition leaders, renewed American involvement in Mali during this critical period could enhance prospects for successful and peaceful elections in the coming year. Active U.S. support for Mali's return to civilian democratic rule would also bolster the hand of pro-democracy forces within the country and further reinforce the work of regional bodies such as ECOWAS and the AU, that are deeply invested in Mali's return to democratic rule and have benefited from American support in the past.

Once touted as a model of democratic progress in West Africa, Mali quickly lost this standing after the *coup* in March. Many Malians in the pre-*coup* era were proud of their country's democracy, although they envisaged consolidating it further by strengthening institutions and enhancing transparency and accountability in governance. Nine months after the March 2012 military *coup*, the false sense of dramatic change of the early days of the *coup* have been superseded by consternation over the cloud of uncertainty that now hovers over Mali because of developments in the northern regions and political maneuvering in Bamako. Despite the numerous challenges confronting Malian democrats today, I am optimistic that with concerted efforts and the right kind of support Malians will be able to rebuild a stronger, renewed democracy that works effectively for all of the country's citizens.

Thank you, Mr. Chairman and members of the committee.