

# Briefing on the situation in Mali

Automatic Heading TextDate | 9 October, 2020

Tomorrow (9 October) the African Union (AU) Peace and Security Council (PSC) is scheduled to hold a briefing session on the situation in Mali. The meeting is expected to take place through VTC.

The AU Commission Chairperson, Moussa Faki Mahamat, is expected to brief the PSC. Additionally, the AU Commissioner for Peace and Security, Smail Chergui, is also set to address the Council. It is also anticipated that the PSC will hear from Ghana, the current Chairperson of Economic Community of West African States (ECOWAS).

The session is convened in the context of the recent developments in Mali that culminated in the establishment of a transitional government and the decision of ECOWAS to lift the sanctions it imposed following the unconstitutional changes of government in Mali on 18 August. It is to be recalled that the PSC at its 941st session of 19 August adopted a decision suspending Mali.

It is to be recalled that ECOWAS, which assumed leadership on the effort to restore constitutional order in Mali, considered the situation in Mali at a summit level meeting on 7 September and decided that the Malian forces has to appoint a transitional civilian president and prime Minister.

Subsequently, at a meeting that ECOWAS convened on 15 September with the the National Committee for the Salvation of the People (CNSP), the formation of the military junta that seized power through the 18 August coup, ECOWAS reaffirmed the position on the need for civilians to be appointed to the position of President and Prime Minister of the transitional

government and the limitation of the transitional period for 18 months as well as the dissolution of the CNSP upon the formation of the transitional government.

In the communique of its 946th session of 17 September in which it endorsed the ECOWAS decision, the PSC also categorically rejected 'any attempt by the military to lead or influence the Malian Transition', reiterated the 'call for the immediate formation of a civilian-led transitional government' and expressed 'full support to the ECOWAS decision that both, the President and the Prime Minister of the Transition should be civilians'.

In the light of the foregoing, for purposes of tomorrow's meeting the central issue is the lifting of the suspension of Mali. In this regard, one key technical issue that is sure to attract attention during the session is whether the formation of the transitional government complied with the requirements for civilian leadership and the PSC's rejection of the influence of the military in the Malian transition.

After both the PSC and ECOWAS insisted on the requirement for civilian leadership for the position of President and Prime Minister, the selection committee that the CNSP established announced on 21 September the appointment of Bah N'daw, who is a former colonel and served as minister of defense in 2014, as transitional president. It also named CNSP head Colonel Assimi Goïta as transitional vice-president. On Friday 25 September, N'daw and Goïta were sworn in as interim president and vice-president respectively for the transitional period that is set for a maximum of 18 months starting from 15 September.

ECOWAS's Special Envoy, former Nigerian President Goodluck Jonathan, after meeting with N'daw, has also stated of the possibilities for ECOWAS's sanctions to be lifted with appointment of a civilian prime minister. On Sunday 27 September the transitional government appointed former

minister of foreign affairs, Moctar Ouane, as Mali's prime minister.

The Transition Charter published of 1 October in the Official Gazette has sought to meet the conditions put forward by ECOWAS towards the restoration of the constitutional order in Mali. The provision that allows the vice-president of the transition to replace the president has been removed with his responsibilities limited to security and defense. It also excluded the possibility of the transitional vice president replacing the transitional president. The 18-month cutoff timeline setting the duration of the transition has also been affirmed in the Charter. Taking these developments into account on 5 October ECOWAS decided to lift the sanctions imposed on Mali.

Indeed, despite his previous role, the president of the transitional government has since his retirement been a civilian with no notable influence on the military in Mali. Similarly, the appointment of Ouane as Prime Minister fulfils the demand for a civilian to be appointed to this leadership position. In terms of the reference, in the PSC communique of its 946th session of 17 September, to rejection of the influence of the military in the transition, the dissolution of the CNSP is an important step. At the same time, this reference to the influence of the military touches on the overall composition of the transitional government. Of particular interest in this respect is that four ministries including defense, internal security, territorial administration and national reconciliation are assigned to members of the CNSP.

The President has established a government consisting of 25 ministries. Even though the number of ministries led by army members is not significant as compared to the 25 membership of the cabinet, the portfolios of those ministries are however central for the country's political transition and security. With the current composition, overall the transitional

government can be characterized as a civilian led government with representation of members of the military in key portfolios. The effectiveness of Mali's transition, similar to that of Sudan, will also depend on the kind of agency that they will be able to exercise.

For tomorrow's session, the technical considerations, despite their political weight, are not the only or even most important considerations. In its application of AU norms, PSC also takes account of the needs of the context. In this respect, there are at least three important considerations. The first is the necessity for having an authority whose role as government is free from uncertainty. This is critical for both avoiding the political anxiety that results from uncertainty and for effective engagement to support the transitional process. This would be one of the issues that those briefing the Council may underscore. The second, related to the first, is the need for effective engagement of the Malian authorities in the effort to restore peace and security in the country. Indeed, the session may highlight that the fragile transition is taking place within the context of continued operation of terrorist groups in the country and in the region. The third consideration relates to the implementation of reforms including those within the framework of the 2015 peace agreement. On this latter point, it is envisaged that former armed groups parties to the Mali peace agreement of 2015 will also be represented in the transitional government.

There are also clear indications from the dynamics in the PSC that there will be strong support for the lifting of the suspension of Mali. Members of the PSC from the ECOWAS region would in pursuit of the ECOWAS decision lifting the sanctions on Mali would make a case for the PSC to follow ECOWAS. There are also other PSC members who support this position. Mali's Ambassador, Fafre Kamara, engaged various PSC members and met with Chergui to brief them on progress made in Mali. It is not

expected that there will be opposition to the lifting of Mali's suspension.

At the same time, as part of ensuring support for the transitional process including for implementation of reform measures to address the governance and security issues that led to the political crisis, various members of the PSC may also indicate that the lifting of the suspension is done within the parameters of applicable AU rule constitutional governance. In this respect, apart from the need for adhering to the 18 month period of the transition, such members may highlight, the importance of using the transitional period for strengthening political stability including through mobilizing consensus around the implementation of the 2015 peace agreement, the rolling out of local governance structures and the creation of conditions for the convening of credible parliamentary and presidential elections. The issue of non-participation of the members of the CNSP and the transitional government in the formation of a new government that will be established on the basis of elections as required by AU norms may also arise.

The expected outcome is a communiqué. The PSC is expected to lift the suspension of Mali and express its support for the transitional process as a means for the restoration of constitutional order in Mali. In light of this the PSC may also welcome the decision of ECOWAS. Deciding to continue being seized with the situation, the PSC may underline the importance for the transitional government to adhere to the decisions made during the Accra Summit on 15 September including the need to maintain the civilian nature of the transition, the need to work within the agreed upon timeframe of 18 month and the dissolution of the CNSP. The Council may also reiterate the need for the consolidation of the political and security situation in the country. In this respect, the PSC may welcome the release of government and military officials that were detained in the context of the 18 August

coup and commend the transitional government for securing the release of Malian politician Soumaïla Cissé, who was kidnapped in March, and French aid worker, as part of a prisoner exchange involving up to 200 extremist fighters that have been in government custody.