

COMMENTARY ON GLOBAL INITIATIVE PAPER ON ILLICIT TRAFFICKING AND INSTABILITY IN MALI

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The authors of the Global Initiative paper on Illicit Trafficking and Instability in Mali have succeeded in gathering together some recent insights into the extent of trafficking in northern Mali and the routes that have been, and continue (to some extent), to be used there. Interviews conducted in Gao and Timbuktu in early 2013, and with a range of actors in Bamako later in the year, confirm the extent of complicity between traffickers and other groups operating in the Sahel and between some of these groups and officials in the north and in Bamako. These relationships were not always harmonious in the past, and have sometimes led to tensions.

COUNTERING CHAMELEONS

At the outset, the paper notes that the interaction of trafficking with local political, social and economic dynamics is poorly understood. However, over the past couple of years a number of analysts have tried to clarify the highly complex relations between various actors as well as the incentives driving them. It has become clear that these relations have developed over the years in line with the supply and demand of products in the proximate region as well as in Europe. Of equal importance are regional and global developments in which religious extremism (across the Sahel and parts of West Africa), political instability (in both West and North Africa) and food insecurity have come to play an increasingly important role.

The paper adds its voice to the burgeoning number of analysts who are sceptical about claims of 'narco-jihadism' or 'narco-terrorism' in northern Mali, describing, as others have done, what has essentially become a form of opportunistic hybridism in which criminal entrepreneurs, government officials and political and traditional leaders move easily between a range of identities and professions: formal traders, extremists, smugglers, kidnappers, civil servants, members of the national army or state-backed militia, and local and regional politicians. This complex reality in which identities are just as dynamic as the illicit goods being trafficked and smuggled through the region requires a response that is much more variegated than traditional counter-narcotic efforts.

THE NOT-SO-HIDDEN CRISIS

The Global Initiative paper discusses the 'hidden crisis' and the international community's alleged unpreparedness for the events of 2011 and 2012. The authors, like many others of late, suggest that 'few if any analysts noted how much the process of democratisation and decentralised governance concealed the disenfranchisement of the broader population and empowered a new criminal class who mediated the distribution of profits from the illicit trafficking economy.'

This judgement seems rather harsh. According to a range of sources, the international community, and particularly development actors, were aware of the disenfranchisement of the broader population significantly before the events of 2011 and 2012. This disenfranchisement was in part due to the nature of the political system and the power sharing arrangements established under former President Ahmed Toumani Toure—known as ATT— which effectively eradicated any formal opposition (since alliances were made with almost all political parties)

and in which vertical systems of accountability such as the National Assembly were negated (Bergamaschi, 2008; Baudais & Chauzal, 2006; Pringle, 2006).

It was this removal of effective opposition that made public debate on national development and security priorities almost non-existent. President Toure developed a strategy of compliance vis-à-vis the donor community based on a range of policies that were often more virtual than real, encouraging the international promotion of Mali as a well-governed democracy. This strategy was aimed at maximising the flow of aid to the country while minimising any real commitment towards donors, while 'shun[ning] the Paris Principles of ownership as it would mean taking on "responsibility, transparency, accountability."' (Van De Walle, 2012) As noted by van de Walle, the judiciary - weak and lacking in capacity - has played 'no role in constitutional debates or as an institutional constraint on the country's chronic problems of political corruption within the government' (Ibid).

Donors appear to have been aware of this situation, investing significantly to ensure that vertical accountability mechanisms (including the strengthening of civil society and democracy) and assistance projects (including conflict mediation and demilitarisation activities in northern Mali) aimed at advancing electoral politics and human rights were included in the country's second Poverty Reduction Strategy (PRSP). Civil society, however, remained weak from a policy advocacy perspective and largely restricted to urban areas. In regard to corruption (on which more below), donors reacted in 2007, when a minister was implicated in a corruption case involving donor funds, and imposed tepid forms of aid conditionality.

A key evolution of the 2000s was clearly in regard to the politics of northern Mali. As the Global Initiative paper notes, throughout the early years of this century, pledges of greater autonomy for Tuareg secessionist groups in the north led to little real change. Donors were surely aware of the delicacy of the northern issue, which constituted a possible threat to the survival of the central government, and yet which required attention in the interests of stability. A core indicator in this regard emerged in late 2006, when, in a move in which he sought to rally support ahead of the elections, the former President developed an alternative to the PRSP. In the new document – the *Programme pour le Développement Economique et Social* (PDES) he prioritised a political and security solution for the north centred on territorial integrity, in which the disbursement of development funds would be largely contingent on progress in these areas¹ (Bergamaschi, 2008).

It is notable that AfroBarometer figures from 2008 confirmed widespread dissatisfaction on the part of the Malian population not with democracy and democratic institutions per se, but with the country's actual political system and how it was being managed (AfroBarometer, 2008). Similar dissatisfaction, particularly at the local level, had been recorded by AfroBarometer already in 2003 (Gottlieb, 2010). Van de Walle suggests that such low faith in the Malian political system was well understood by the coup plotters in 2012 when they made their move to remove ATT from office (Van De Walle, 2012).

The deep-rooted features of this system that underpin the general nature of the Malian political settlement and that gave rise to much instability over the past two decades persist today.

¹ This emphasis was reiterated in his *letter de cadrage* to the Prime Minister in November 2007, and the *document de politique générale* presented to the National Assembly in December 2007. Bergamaschi (2008)

CHOOSE YOUR CRIME

The Global Initiative paper has an explicit focus on the illicit trafficking of narcotics through northern Mali. The authors note that Mali's new President - Ibrahim Boubacar Keita, generally known as IBK - faces a range of challenges including 'government institutions eroded by criminal activity and illicit trafficking.' The paper goes on to explain the nature of the illicit economy and its impact on stability in northern Mali. These sections are very insightful, particularly with regard to local accounts of trading routes, incentive structures and competition that has emerged between various groups as they sought to control access to different illicit products (Lacher, 2012).

The paper discusses illicit trafficking in Mali in terms of an 'evolution.' The picture painted in the paper as well as in a range of other studies suggests that it might be more accurate to describe it as a diverse portfolio of illicit business activity, the management of which is largely dependent on a range of supply and demand factors and weather conditions, as well as reliable access to information communications technology and related capabilities.

The paper places significant emphasis on cocaine, noting that cocaine and other narcotics continue to flow through the north of Mali despite the presence of Operation Serval and MINUSMA troops. Yet it is bold to draw hard conclusions on this matter, as the data on these flows remain unreliable. It would be important to build on the interviews conducted for the purpose of this paper, including in producing and consumer countries, in order to ascertain the degree to which cocaine is still being routed through Northern Mali or whether traffickers have rerouted through other less risky (and therefore less expensive) places, as some other studies have suggested.²

The authors of the Global Initiative paper also suggest that the flow of narcotics through Bamako is rather unimportant. However, while the issue is not yet highly salient, interviews in Bamako suggest a growing availability and consumption of amphetamine-type substances (ATS) and crack cocaine, reflecting the general problem of transit countries eventually becoming consuming countries. Interviews with detainees suggest that Bamako airport is still viewed as an easy point of transit for both amphetamines and cocaine en route to Asia or Europe.³ Meanwhile, the paper confirms that Kayes is a point of transit for narcotics transported from Guinea, and that it is becoming an important trafficking hub for the region as a whole.⁴

The Global Initiative paper also makes reference to the significant impact of the 2011 Libya crisis on the availability of arms - particularly conventional weapons - to armed groups in the north of Mali, as ex-soldiers in the Libyan armed forces arrived in the area (Conflict Armament Research & Small Arms Survey, 2013). This war *matériel* provided various insurgent groups with significant tactical and operational advantages over Malian troops during the dramatic events of 2012. This is important. However, there has existed for decades a regional trade in small arms and light weapons (SALW) that has contributed to instability at moments of political tension in

² Sky News, Mali: French Intervention Hits Drug Running <http://news.sky.com/story/1063100/mali-french-intervention-hits-drug-running> (Accessed on 02 February 2014)

³ Interviews conducted in Bamako with law enforcement officials September 2013 and January 2014.

⁴ David Lewis, Surge in Cocaine undermines Conde's bid to Revive Guinea <http://www.reuters.com/article/2014/01/31/us-guinea-drugs-insight-idUSBREA0U0EG20140131> (accessed on 02 February 2014)

Mali. For example, the extent of the violence wrought by political tensions in the early 1990s led the then President to request assistance from the United Nations to tackle the proliferation of small arms and light weapons⁵ (Harry Frank Guggenheim Foundation, 2005). The absence since then of any real progress in tackling the problem, coupled with the absence of parliamentary oversight of national security and defence policy, has exacerbated this situation (Kornio, 2011). Although few observers would doubt the military importance of events in Libya, and their consequences for northern Mali, it remains important to connect these to earlier patterns of regional instability that go back to the mid-twentieth century, and that could even be considered inherent in a region of such vastness as the Sahara. These early patterns of instability are also linked to the broader West Africa region, where the Economic Community of West African States (ECOWAS) and other bodies have been attempting to stem the flow of SALW since the early 1990s.⁶

Narcotics and arms trafficking have certainly proved lucrative in Mali, providing important incentives to a range of actors, particularly in the north, but these are not the only forms of illicit activity that pose a threat to the country's stability. Kidnapping for ransom has become a highly lucrative activity nurturing relations between insurgent or bandit groups in the north of Mali and throughout the region, on the one hand, and the Malian state on the other hand. By devoting their main attention to illicit trafficking, the authors of the Global Initiative paper perhaps accord to the ransom industry less importance than it merits in a study of politics and organized crime. For Lacher, this illicit industry, which emerged in the 1990s as a form of 'residual banditry,' is perhaps the most lucrative and potentially most damaging from a security and developmental perspective (Lacher, 2012). For example, Lacher notes that, from 2008 until the publication of his paper on organized crime and conflict in the Sahel-Sahara region, the income derived from kidnapping is likely to have totalled between US\$40 million and US\$65 million, 'paid mostly by Western governments.' The high incidence of hostage-taking, he adds, also caused the collapse of the tourist industry in the Sahel and the Sahara, 'further limiting opportunities for employment and profit outside of criminal activity' (Lacher, 2012). The kidnapping and subsequent killing of two French radio journalists in 2013, and the kidnapping of Malian Red Cross personnel in February 2014, suggest that this situation will prevail for some time.

The authors of the Global Initiative paper suggest that illicit trafficking has hollowed out Mali's institutions. Yet Mali's government had been eroded or hollowed out long before the rise of narcotics trafficking in the first decade of the present century. For example, public sector corruption⁷ has been the basis for Mali's illicit economy for decades and provides a core challenge to governance and democratic development.⁸ Yet, the authors' strong focus on the

⁵ This was one of the first cases leading to the engagement of the international community on the subject of SALW.

⁶ See ECOWAS Convention on SALW http://unrec.org/index/index.php?option=com_content&view=article&id=152%3Adeclaration-by-the-president-of-the-ecowas-commission&catid=39%3Apolitics&lang=en (accessed 03 March 2014). The importance of the issues led the Kofi Annan International Peacekeeping Training Center (KAIPTC) in Accra, Ghana to include a specific focus on SALW in its curriculum. The MINUSMA mandate includes a focus on SALW and has recently stepped up its engagement in this regard.

⁷ Since 2000, the government is reported to have undertaken a number of reforms to address corruption in the country. These measures have mainly focused on establishing a comprehensive institutional set-up to combat corruption, including anti-corruption laws, treaties and agencies and strengthening administrative control mechanisms. Reforms culminated in the creation of the Office of the Auditor General in 2003. Overview of Corruption and Government Efforts Against Corruption in Mali. Anti-Corruption Resource Centre <http://www.u4.no/publications/overview-of-corruption-and-government-s-efforts-against-corruption-in-mali/>

⁸ See Rapport du Panel sur la Corruption: Quel Rôle pour la Société Civile?, 2008. Conseil National de la Société Civile (CNSC). See also Isaline Bergamaschi, Collapsed, failed, criminalized? Notes on the State in Mali, August 2013 <http://africanarguments.org/2013/08/15/collapsed-failed-criminalized-notes-on-the-state-in-mali-by-isaline-bergamaschi/> (accessed on 10 February 2014)

relatively new phenomenon of narcotics trafficking causes them to devote rather little attention to corruption, a structural part of Malian political life. Exact figures, needless to say, are hard to find, but perusal of the US State Department Human Rights Reports spanning the period 2005-2011 paints a daunting picture of corruption in Mali.⁹ In that period, reports from the Office of the Attorney General suggest that some US\$ 740 million in public funds (much of it aid money) were lost to fiscal mismanagement, corruption, fraud, tax evasion and theft in core ministries, agencies and official programmes. Such abuse was particularly evident in ministries with a responsibility to deliver services to Mali's population (one of the poorest in the world) in both the north and south.¹⁰ For example, a sampling of previous corruption cases involving high-ranking officials in these ministries reveals that in June 2010 former health minister Ibrahim Oumar Toure was arrested on charges of misappropriating millions of dollars from the Global Fund to Fight AIDS, Tuberculosis, and Malaria. Fifteen other former health ministry officials were also charged.¹¹ In September 2008, former Minister of Mines, Energy and Water Ahmed Sow resigned following corruption allegations when heading the European Union's Center for Business Development. The EU Anti-Fraud Office had been investigating him since 2006. Sow denied all allegations, but increased pressure from the EU forced his resignation.¹² No criminal investigation ensued. Earlier in 2005, the former director of the Office du Niger – a state body responsible for managing the country's rice-growing region and plagued by corruption since the 1990s -- was removed from office after an investigation revealed that approximately US\$ 1 million had disappeared over the preceding three years. Three mid-level employees were arrested but later released.¹³ Only a small number of those implicated in such crimes have ever been convicted.¹⁴

MOVING FORWARD

The authors conclude their paper with a range of suggestions grouped under four main headings: perception, political will, capacity and culture. Clearly, it is important for analysts to deepen their general understanding of trafficking networks in Mali. Equally important is the need to strengthen the capacity of Mali's relevant security services, including by means of joint operations, better data collection and better specialisation and forensics, while also encouraging and creating mechanisms necessary to mitigate political interference in the work of law enforcement agencies and the judiciary. This will be the work of decades. As the paper notes, though, if there is will, there will be a way.

The authors lament the limited role that Operation Serval¹⁵ and MINUSMA have played in restraining organised crime over the past year. This is true enough, but it is an observation that

⁹ US Department of State Human Rights Reports, Mali 2005-2011 <http://www.state.gov/i/drl/rls/hrrpt/> (accessed on 10 February 2014).

¹⁰ They include: the Office du Niger (later in 2009 staff were investigated for embezzling fees paid by farmers for irrigation water provided by the state); the Ministry of Education; the Ministry of Health; the Social Security Agency; the Commission for Food Security; the Ministry of Energy, Mines and Water; the Ministry of Finance; the State-owned cotton company; the Customs office; a range of Agricultural and Health programmes; the EU Centre for Business Development (Ahmed Sow case); and the Global Fund to Fight Aids, TB and Malaria (Ibrahim Oumar Toure case).

¹¹ US Department of State. Mali Human Rights Report 2011. See also <http://www.google.com/hostednews/afp/article/ALeqM5jiUjRghROB1JdS6imvZWGynFRug?docId=CNG.41aa8fb66749a2ae9cd6b26ae2e89b71.881>

¹² Minister of Energy and Mines Resigns Amid Fraud Allegations. October 1, 2008. US diplomatic cable 08BAMAKO0822_a.http://www.wikileaks.org/plusd/cables/08BAMAKO0822_a.html (accessed on 10 February 2014)

¹³ Bergamaschi (2013); see also US Department of State, Human Rights Report Mali, 2006.

¹⁴ US Department of State, Mali Human Rights Report 2011.

¹⁵ Operation Serval is a French military operation launched on 11 January 2013 upon the request of the government. The core

calls out for deeper consideration. Operation Serval does not have a mandate to fight drug trafficking in northern Mali and the greater Sahel, and a militarised response to the question of drug trafficking might make the situation worse, as some well known examples suggest, including Colombia, Mexico and Afghanistan. Second, while the Security Council has recognised the importance of responding to organised crime in the Sahel¹⁶ and many would no doubt like UN peace operations to play a greater role in regard to drug trafficking and organised crime, at this stage of MINUSMA's deployment it is almost impossible for the mission to do anything other than it is currently doing: building its military, police and civilian capacity on the ground; addressing urgent security challenges in the north while facilitating negotiations between the Government and armed groups; and developing its analytical capacity so it can work with national, regional and international counterparts on both the security and development fronts to identify potential threats, trends and targets as the political process moves forward.

Global Initiative's report on Illicit Trafficking and Instability in Mali emphasises the importance of prioritising the response to illicit trafficking, with a strong emphasis on law enforcement measures. Yet it is apparent that an emphasis on illicit narcotics trafficking should be linked to other destabilising activities such as Mali's structural corruption, clientelism and mismanagement of economic and social development nurturing the kind of criminal activity that encourages instability in general (International Crisis Group, 2014). From the perspective of the international community, it is precisely this kind of delinking of security from development that prevents key observers and policy-makers from seeing problems in a clearer context. Development assistance, properly conceived and implemented, can play an important role in responding to issues of political economy in settings such as Mali.

In short, policy-makers in Mali need to develop sharper links between development, conflict and security, along the lines of some of the suggestions outlined in the much-discussed 2011 World Development Report and other related publications.¹⁷ President Keita has a central task in assuring the territorial integrity and security of the north of the country as per UN Security Council Resolution 2100. Imperative to fulfilling this task, however, is the need of the Government to establish effective safeguards to protect the political system and overall governance structures – national and local, north and south - from the predatory behaviour that has consistently led the country toward violence in the past.¹⁸

objectives of the Operation included supporting Malian troops stem the advance of terrorist groups toward Bamako, while also protecting civilians; helping Mali recover its territorial integrity and its sovereignty; and supporting the implementation of international decisions regarding the rapid deployment of two additional missions: MIINUSMA and the EU Military Training Mission (EUTM). <http://www.defense.gouv.fr/operations/mali/dossier/presentation-de-l-operation> (accessed 02 February 2012)

¹⁶ See para. 29 of Security Council Resolution 2100 (2013) on the MINUSMA mandate. S/Res/2100 (2013)

¹⁷ See for example, Kavanagh et al (2013); USAID (2013); and Miraglia et al (2012).

¹⁸ The President started his term in office by declaring 2014 'Annee de Lutte Contre la Corruption,' and launching a crackdown on corruption across ministries. To date, it remains unclear whether such action represents a real attempt to respond to some of the structural political economy issues underpinning governance in Mali, or whether it is being done in an attempt to momentarily appease donors and civil society. See for example, <http://mali-web.org/politique/corruption/2014-annee-de-lutte-contre-la-corruption-au-mali-tessougue-qualifie-la-demarche-dibk-de-comedie>

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