

Peacebuilding and the challenges of institutionalising inclusion through local governance in Mali and Niger

Gaudence Nyirabikali, 3 September 2016

Background

- A history of armed rebellions motivated by inequitable socio-political structures and marginalisation of certain ethnic groups and regions
- Efforts of resolving existing conflicts through peace agreements:
 - Mali: 1992, 2006, and 2015
 - Niger: 1995, 1997 and 1998
 - Decentralisation as a main policy for addressing exclusion and development grievances
- Shared territorial border, socio-demographic and ethnic diversity, with Tuareg communities in the northern regions of Mali and Niger



Background, 2

- Shared climatic conditions: two thirds of each of these two countries lie in the Sahara and the Sahel regions, with arid to semi-arid climate;
- Northern regions predominantly inhabited by nomadic and pastoralist communities; sedentary communities predominant in southern regions endowed with a climate favourable to agriculture;
- Similar colonial background as former French colonies, independence on 22 September 1960 for Mali and, on 3 August 1960 for Niger;
- Both ranking as fragile states, with a history of multiple military coups since independence.



Decentralisation in Mali

- Decentralisation has been part of the political and development reforms undertaken since the adoption of democracy in 1992.
- This focus was reinforced through peace agreements and related laws, including Mali's constitution of 1992, unrevised since.
- Law No 96-059 of 4th November 1996 was adopted to guide the creation of decentralised collectivities and their operationalisation.
- A more or less ten year experience of decentralisation



Decentralisation Mali, progress and challenges

- The process aimed to promote political autonomy and self development of local communities, with decision powers and participatory development planning at the municipal level.
- Implementation efforts in the 1990s up to the 2012 crisis enabled the establishment of the territorial collectivities and the election of local representatives.



Mali progress and challenges, 2

The functioning of these new institutions were however hampered by :

- the lack of clarity as to the responsibilities and powers of the different levels of territorial units (region, cercle, commune);
- Lack of clarity as to the responsibilities and powers of the elected local representatives and state representatives at each level of local government (ex. : mayor and the elected communal council)

(Cheibane Coulibaly, Decentralisation in Mali, a “constrained responsibility transfer” process, 2010)



Mali progress and challenges, 3

- Rejection of the new territorial boundaries by local populations especially in cases where municipal boundaries were cutting across historical clan, kinship and other social links;
- Associated risk of reinforcing inter-community conflicts.

(Eric Idelman, Decentralisation and boundary setting in Mali, 2009)

- New plans under way for a new demarcation of decentralised territorial units (*peace accord 2015*)



Mali progress and challenges, 4

- Failure by central government to transfer adequate financial and human resources in accordance with the responsibilities transferred to territorial units;
- Refusal of paying local taxes due to a history of corruption among public authorities and a legacy of ineffective provision of public services

(World Bank Group, Systematic Country Diagnostic, June 2015).



Mali progress and challenges, 5

- Failure to address issues related to natural resource management, including land tenure issues. As municipalities are comprised of villages, fractions and groupings of nomadic communities, a critical issue at this level revolves around the management of natural resources especially in rural areas, including land tenure for rural users. Some accounts suggest the prevalence of a deliberate tendency by government officials to duck land tenure and other resource management issues precisely because of the intricacies associated with it and importance for the communities (Eric Idelman, 2009)



Decentralisation in Niger

- Like in Mali, an impetus for decentralisation resulted from the need to address armed conflict grievances, mainly marginalisation and unequal distribution of public goods and services.
- The 21 August 1998 peace agreement between the government of Niger and the Democratic Front for Renewal (Front Démocratique pour le Renouveau - FDR) was motivated by contestations over serious weaknesses in the decentralization process, including participation in the management of public affairs and minority rights; and the lack of infrastructure in northern regions.



Decentralisation in Niger, progress and challenges

- Additional efforts to promote inclusion are reflected in Niger's electoral system which incorporates a clause for eight reserved seats for ethnic minority representation.
- Such positive discriminatory measures could be of relevance for Mali as well whose electoral system is simply characterised by a proportional majority.



Niger progress and challenges, 2

- A decentralisation plan was enacted in 1999 to guide the decentralisation process, including the establishment of local territorial units.
- Like in Mali, a three tier level of territorial units was adopted in Niger, including municipalities, departments and regions.
- The first municipal elections were held in February 1999.

(Abdoulaye Mohamadou, Decentralisation and local power in Niger, 2009)



Niger progress and challenges, 3

- Also like in Mali, the setup of local territorial units was accompanied by rivalries based on ethnic and other social identities, such as occupational status in terms of sedentary and nomadic communities.
- Until 2004, decentralisation efforts in Niger were also characterised by a lack of state funding of local government's activities and development plans, and by tensions between villages and different ethnic and social groups (*Abdoulaye Mohamadou, 2009*)



Niger progress and challenges, 4

- In terms of political leadership and decision-making at the local level, the position of traditional authorities has been reinforced within the decentralisation process.
- In addition to retaining their role of collecting individual tax within their locality, local traditional chiefs are recognised among the public administration chain and on the payroll of the ministry of Interior.
- They have also retained their authority regarding access to land, which is a key issue in rural areas.



Niger progress and challenges, 5

- Traditional authorities are also represented in the National council for Local Government through their national association of traditional chiefs.
- An interesting development is that in some municipalities, traditional chiefs have competed in local elections and taken office as mayor in their municipalities, which may reinforce the democratisation of local politics.
- In spite of this seemingly locally grounded power, local politics are often influenced by powerful elites at the national level to ensure their own political base (Abdoulaye Mohamadou, 2009)



Niger progress and challenges, 6

- In contrast to Mali, decentralisation efforts in Niger have raised the engagement of local actors in local politics, with some real improvement in the delivery of public services.
- According to Abdoulaye Mohamadou (2009), the introduction of municipal development plans has led to improvements in local development planning giving priority to those services that matter most for local populations and hence an increased satisfaction over service delivery: public records office, prevention of conflicts between farmers and herders, maintenance of markets and slaughter houses, livestock vaccination, and so on.



Lessons learned and way forward

- Although the decentralisation process presents the potential to help address institutional weaknesses that reinforce exclusion and inequalities, the emerging challenges in the context of Mali are linked to inappropriate implementation of the guiding principles and mechanisms adopted.
- Overcoming such challenges requires commitment and willingness from all sides of involved stakeholders, as well as improved technical capacities and skills.



Lessons learned and way forward, 2

- In addition to a comprehensive legal framework including decentralisation clauses in the constitution and other national laws, Niger has for example established a national training centre to benefit all stakeholders.
- A training centre for elected representatives of the local and regional authorities and appointed officials (the Centre de Formation en Gestion des Collectivités Territoriales (CFGCT)) has been set up and already operational, making a key contribution towards improving local skills and human resources.



Lessons learned and way forward, 3

- While Niger is neither immune against corruption, the June 2015 World Bank's Systematic Country Diagnostic for Mali suggests that high levels of corruption underlie low levels of public service provision. This explains the persistence of policies that favour the rich and urban classes while maintaining low levels of educational attainment, an adverse business environment, weak management of public finances, inadequate public oversight, poor quality statistics and, finally, failed decentralization (pp. 2 -3).



Lessons learned and way forward, 4

- As a way forward therefore, the promotion of a moral economy, involving the promotion of principles ensuring a dignified livelihood for the poor in the society seems relevant. Such advocacy and training should be directed not only to ordinary citizens but mostly to the leadership and policy makers as the poor's conditions are, to a large extent, a result of decisions taken by the latter category of actors.



Lessons learned and way forward, 5

- Given that Mali's and Niger's society are both traditionally anchored, it would be possible to revive the traditional values of mutual understanding in the way of curbing elite corruption which drains resources and hampers effective service delivery to the people.
- A moral economy attitude among the leadership would thus privilege social justice and inclusion and contribute to strengthening the emergence of effective local governance structures.

