



BUILDING INTEGRITY IN MALI'S DEFENCE AND SECURITY SECTOR

An Overview of Institutional Safeguards.

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EXECUTIVE SUMMARY

Corruption is widely recognized as one of the fundamental drivers of conflict in Mali. A lack of accountability to the population and a failure to address internal patronage networks has fed into two coup d'états, human rights abuses and the permissive environment for transnational trafficking and organized criminal activity that has fuelled regional conflict. In the meantime, by reducing the operational effectiveness of the Malian armed forces, corruption undermines the state's ability to field a defence and security apparatus that can guarantee the population protection from insurgent groups, armed violence, or the resurgence of civil war.

Whilst the lack of safety and insecurity linked to conflict is one of the top five most important problems reported by Malians across the country¹, weak governance in the defence and security sector has hugely corroded public confidence in the government and state security institutions.

This mistrust has been exacerbated by a high level of secrecy and a lack of transparency in the defence sector that have meant that the otherwise vibrant Malian civil society has been unable to provide robust oversight over defence policies, or play a role in combating defence corruption. Civil society in turn has limited capacity to oversee the sector's activities and requires increased expertise on defence governance and accountability to develop well-evidenced and holistic reform recommendations. At the same time, it lacks opportunities to engage with officials at the level required to catalyze reforms within state institutions. This has given the Malian army the freedom to act largely unmonitored in the North

and other insecure areas at a time when the country's security and integrity is challenged on a daily basis.

Drawing on Transparency International – Defence & Security (TI-DS)'s Government Defence Integrity Index 2020, this report explores the drivers and the enablers of defence corruption in the Malian defence sector to assess the overall corruption dynamics within the sector. It intends to identify institutional weaknesses, corruption prone actors, and map identified risks, so that they can be drawn to the government's attention. Ultimately, this research aims to provide a starting point for the Malian civil society to approach the defence sector and to engage with it on the next steps to take in order to increase the effectiveness and accountability of these institutions.

Building on TI-DS' expertise as well as on inputs from Malian civil society organisations from across the country, this report will provide best practice guidelines and recommendations which are designed to diminish the space for corruption and to improve the governance and institutional strength of Mali's defence sector.

Greater oversight of defence purchases and finances is essential

Recent admissions by President Ibrahim Boubacar Keïta (IBK) and his son, the chair of the parliamentary Defence and Security Committee, that two helicopters on which the government spent CFA4.6 billion (US\$7.8 million) are not functional highlight the need

for much greater independent scrutiny of major defence purchases.² Mali simply cannot afford to make such seismic mistakes when it is facing such severe security threats. Strengthening oversight mechanisms and increasing transparency for defence purchases would not only curtail the opportunities for corruption, but would mitigate the risk of investing large sums in faulty equipment.

One of the most obvious deficiencies relating to defence acquisitions is that Article 8 of the public procurement code permits off-budget military oversight and reporting requirements – audit bodies and parliament are completely sidelined – heightening the risks of kick-backs, bribes and other illicit transactions. On this point, the Ministry of Defence should work with parliament to determine specific criteria for purchases that potentially warrant exemption. The government should also assign responsibility to an external independent body, such as the Office of the Auditor General (Bureau du Vérificateur General or BVG) or the Regulatory Authority for Public Contracts and Service Delegations (Autorité de Régulation des Marchés Publics et des Délégations de Service Public or ARMDS), to scrutinise the eligibility of secretive, off-budget purchases and oversee their execution. The designated body should crucially have the legal power to approve or decline the government's request to make defence purchases without having to adhere to the usual checks and processes.

The Ministry of Defence's growing use of open tenders to procure equipment and services represents a positive trend, but there is certainly a lot of room to increase the use of transparent and competitive mechanisms when it comes to big-ticket purchases. In addition, the government should establish and publish formal procedures that are used to determine purchasing requirements. Such procedures could even include launching public consultations to ensure that the government's defence strategy addresses the principal concerns of Malian citizens. Once completed, the Ministry of Defence must publish its defence strategy. The military programming law of 2015, which outlined the Malian Armed Forces' (FAMA) strategic goals for the subsequent five years, marked a degree of progress in this area. Though the law provided greater transparency about how defence budgets would be spent, some overarching spending categories remained vague and there was little breakdown of the proposed figures.

Even independent auditors encounter major obstacles when seeking to examine the financial accounts of the Ministry of Defence and Veterans'. The government must therefore ensure that all ministries, including the Ministry of Defence and Veterans' Affairs, always provide external audit bodies with comprehensive and detailed financial accounts on time. The government should consider introducing penalties for ministries that refuse to comply with the requests of external audit bodies.

The National Assembly needs more formal powers

The National Assembly should push to obtain more extensive powers to strengthen oversight of the defence and security sector. Parliament's ability to provide an effective counterweight to the executive on defence policy is severely limited in various ways.

Firstly, the National Assembly's Defence and Security Committee (Commission Défense, Sécurité et Protection Civile, CDSPC) is chaired by the president's son. Even though he was elected to the position by members of the Assembly, this creates a glaring conflict of interest at the heart of a key oversight body. To ensure the CDSPC can credibly scrutinise the executive, parliament should introduce transparent, objective criteria and formal written procedures for the future selection of the committee's chairmanship.

Secondly, the committee has no legal power to oversee the activities or budgets of the intelligence services, which remain the preserve of the executive. Empowering the CDSPC with such legal authority would at least provide a second layer of checks over Mali's highly opaque intelligence institutions.

Thirdly, parliament currently has no role in vetting individuals who are appointed to senior defence posts. This leaves the door open to potential cronyism and nepotism, where ministers select candidates for political or personal reasons rather than basing their decisions on competency criteria. To counter this risk, the CDSPC should be afforded the ability to question candidates selected by the Council of Ministers and the executive for senior military and security posts, including those in the intelligence services. The CDSPC must also have the authority to approve or reject proposed candidates to give the selection process any credibility.

Sustained leadership and reforms are required to boost institutional integrity

Political leadership on fighting corruption in the defence and security sector has for the most part been sorely lacking. Not one of the seven defence ministers under IBK's presidency has identified tackling corruption as a strategic goal for the armed forces. Indeed, two of IBK's former defence ministers were themselves implicated in corruption scandals. Incessant cabinet reshuffles mean that ministers who are more committed to reforming the army do not have enough time to implement their vision. Therefore, an institutional culture in which illicit and informal practices dominate remains one of the principal drivers of corruption. To have any chance of success,

senior officials within the Ministry of Defence, the Ministry of Security, the FAMA, the police, the gendarmerie and the national guard must identify corruption as a strategic priority for reform of the security sector. Political and military leaders must outline in the national military doctrine how corrupt behaviours can undermine operations and repeatedly build on this message in public and private speeches.

One overriding priority and a logical starting point to improve institutional integrity would be for the FAMA, the police, the gendarmerie and the national guard to disclose the number of staff members they employ and their relevant ranks to parliament. Furthermore, the professionalisation of the human resources systems supporting these forces is imperative. The implementation of electronic payments systems would greatly reduce the scope for bonuses to be diverted or for salaries to be skimmed. The relevant ministries should work with the defence and security forces to ensure that objective criteria are always applied in all recruitment and promotion processes. The new general statutes for the armed forces and the police provide such criteria, so it is merely a question of consistently adhering to the existing legislation.

Safeguards against corruption within defence and security institutions remain insufficient, contributing to a culture of impunity. Payments to facilitate promotions within the armed forces are widespread and police officers routinely extract bribes from citizens. While codes of conduct exist for soldiers, police officers and gendarmes, these documents do not explicitly proscribe corrupt practices. The government should update the codes of conduct for the relevant bodies to make it explicitly clear that all forms of corrupt activity are prohibited. The revised code should also outline the possible sanctions for officers found guilty of corruption to deter would-be transgressors and increase accountability.

A reformed Office of the Inspector-General, which is already responsible for enforcing the code of conduct, would be well-placed to take responsibility for mitigating the risks of corruption. The Inspector-General should regularly report to the National Assembly so that parliament can monitor and scrutinise the body's effectiveness. Finally, anti-corruption modules should be a core part of basic training that is revisited at regular intervals and all defence and security institutions should establish channels through which officials can safely report their suspicions of corrupt activity.

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INTRODUCTION: REBUILDING IN EXTREMELY DIFFICULT CIRCUMSTANCES

Mali is presently in the process of rebuilding its armed forces following the virtual collapse of the military and the state in 2012. That year, an alliance of northern-dwelling, Tuareg-led armed groups and a cluster of Islamist militia overwhelmed the army, seizing control of two-thirds of the country's territory. Ill-equipped and often lacking basic supplies to curb the spread of the insurgency, several hundred Malian soldiers simply deserted their posts and abandoned their equipment or defected to join the Tuareg-led armed groups.

In March 2012, junior military officials – angry at the way the government's strategy was failing to counter the rebellion in the north – staged a coup, further destabilising the country. The coup's leaders were similarly unable to dislodge the jihadist groups, who by mid-2012 had wrested control of the major northern towns from their former Tuareg allies. The territorial integrity of Malian state was only restored thanks to Operation Serval, a French-led military intervention that deployed in early 2013. The intervention paved the way for a national vote to restore a democratically-elected government, which led to IBK becoming president in July 2013. While news of the coup had swept the international media by storm, many commentators thought the events were entirely foreseeable:

“The weakness of the Malian army ... came as little surprise to anyone who had been watching the steady erosion of state institutions, largely as a result of widespread corruption.”³

But the election of IBK and the French-led military campaign only partially resurrected the Malian state, which remains highly dependent on external assistance. Instead of eliminating the security threats, the jihadist groups merely retreated from the towns to their rear-bases into the north's enormous desert areas.

These Islamist groups have become ever more capable and now pose a serious threat to even well-protected military installations. Attacks on the Malian defence and security forces (MDSF), UN peacekeepers and the French counterterrorism mission, Operation Barkhane, have

persisted. Since 2015, the annual number of security incidents in Mali has risen year-on-year. Moreover, insecurity has spread from the north into the central regions of Mopti and Ségou, where there are increasing numbers of ethnic militias.⁴ The availability of arms, the state's inability to resolve land disputes between pastoralists and agriculturalists, and the growing absence of state authorities have led ethnic groups, such as the Peulh and the Dogon, to take up arms to protect themselves and advance their interests. All the while, the government has been struggling to implement the 2015 Algiers Peace Accord and prevent rival armed groups that are signatories to the agreement from fighting one another.

It is against this daunting backdrop that Keita's government has been trying to rebuild and reform the dilapidated defence and security forces. The government has made some progress, aided by its numerous international partners. But security assistance programmes have historically not fared well in an environment overrun with corrupt practices and undermined by links between politicians and organised criminals. Research by Transparency International shows that security assistance provided to the Malian army by the US and France from 2001-2012 overlooked corruption dynamics in the military.⁵ These training programmes failed to install the requisite competencies and values to prevent the 2012 coup led by Captain Amadou Sanogo.⁶ Furthermore, the report found that security assistance programmes were not robust enough to withstand the challenges of corrupt practices, weak institutions and inadequate resources.

Where to now?

Given the prevalence of corruption during the decade leading up to the state's demise in 2012, the considerable security challenges it has subsequently faced, and the massive influx of funding and support in the last six years, it is no surprise that the risk of corruption is growing. This two-part report explores the most significant drivers and enablers of corruption in the Malian defence sector. The dual perspective provides a fuller picture of the system of defence and security corruption in Mali today, and signposts many of the possible pathways to dismantling it.

The first section analyses the wide range of drivers that propel individuals to behave corruptly, from simple greed

to social expectations to provide for others. Traditional principal-agent or collective action models alone have often proven insufficient for explaining this “complex and resilient social problem” and resulted in anti-corruption initiatives that have proven, at best, inadequate.^{7 8} Examining why individuals (the agents) entrusted with authority to act on behalf of an individual or wider group (the principal) choose to abuse their power to benefit themselves is essential to understand why corruption occurs. But it doesn’t capture everything. Meanwhile, the collective action model, which focuses on groups dynamics and the lack of trust between individuals, can help explain why even in a society where everyone dislikes corruption, no single individual has an incentive to avoid corruption on their own. But this lens similarly cannot offer a comprehensive view of corruption when applied in isolation.

By considering highly-influential cultural and economic aspects that exist beyond the defence and security sector, this report looks beyond ‘how’ corrupt practices proliferate within state institutions. Identifying these motivations allows us to consider both the functions that corruption serves and the social dynamics that underpin it, delivering a better understanding of ‘why’ influence persists in the Malian defence sector, and the interaction between the different factors.

The second section of the report focuses on the most significant enablers of defence corruption in Mali. Drawing on Transparency International’s Government Defence Integrity Index (GDI) 2020, it provides an analysis of the effectiveness of institutional controls in the defence sector.

institutional failings and opaque procurement processes are just some of the enablers that continue to sustain enormous opportunities for corruption. Following the analysis for each of the five risk areas, the report presents several policy recommendations based on the technical assessment conducted for the GDI. We urge the Malian authorities to consider adopting and implementing these policy proposals to help reduce and even eliminate some of the primary enablers of corruption in the defence and security sector.

The Government Defence Integrity Index (GDI) is the first global analysis of the existence, effectiveness and enforcement of institutional and informal controls to manage the risk of corruption in defence and security institutions. As such, it has a crucial role to play in driving global defence reform.

The GDI assesses countries’ defence sectors across 75 indicators divided in five different corruption risk areas: political risk, procurement risk, personnel risk, financial risk, and operations risk. The overall average of scores determines the strength of a country’s institutional practices and protocols to manage corruption risks in defence, from A (low risk/strong institutional controls) to F (high risk/weak institutional controls). The 2020 iteration of the GDI assesses 80 defence sector from all around the world.

While some evidence suggests that Mali is making modest improvements on certain indicators in the GDI 2020 compared with the previous Index from 2015, numerous deficiencies remain. A series of legislative gaps,

PART I: DRIVERS OF CORRUPTION – THE MOTIVATING FACTORS

Pressure to provide and societal acceptance

Focusing exclusively on laws, detection methods and individual culpability in a profoundly community-oriented society like Mali will only ever produce an incomplete analysis of corruption. To comprehend why corrupt practices are rampant, those pushing for anti-corruption measures must seek to understand the cultural ecosystem in which these practices flourish. Poverty, deeply-rooted concepts of social solidarity, ethnic allegiances, and the sheer prevalence of certain abuses of public office all contribute to a climate in which corruption is widely accepted.

For a start, Mali ranks 182nd out of 188 countries on the United Nations' Human Development Index in 2018, underlining its status as one of the least developed nations in the world.⁹ One in two Malians lives on less than US\$1.90 (CFA 1,123) per day, according to the World Bank, meaning that close to 10 million people live below the international poverty line.¹⁰ Moreover, the belief that individuals not only have a moral responsibility to provide for their family, but to provide for their extended family, their spouse's family, their neighbours, their friends, their village, and so on is omnipresent. For many Malian nationals, there is thus a strong imperative to accumulate wealth to be able to share it with those close to them. This norm is so important that it sometimes outweighs other moral considerations.

As the UNDP's report indicates, corruption in Malian society is tolerated as a form of "social solidarity."¹¹ This tolerance is founded on the "widespread importance of family loyalty that puts huge pressure on individuals to exploit their positions in order to provide financial support to relations."¹² Combining this dynamic with glaring poverty and insecurity increases the desire, need and pressure to obtain wealth.

Many people outside of the state bureaucracy recognise and tacitly endorse the decisions that corrupt office-holders make: if they had a relative who held a job that offered rent-seeking opportunities (using one's position to gain additional resources/wealth), they would expect them to take advantage of it too. The lack of accountability in previous high-profile cases of corruption also contributes towards this sense of acceptance. One civil society leader interviewed for this research underlined that people judge

others by what they do with their wealth – how they obtained it is not important. He stressed that "even if you are prosecuted and imprisoned for embezzling state funds, so long as you have used that wealth to help your family, your neighbours and your community, people will stand by you."¹³

But if an individual has illicitly enriched themselves without sharing the proceeds, they risk being shunned by society for breaking this fundamental code. Malian culture is highly communitarian, so being socially excluded carries real force. This dynamic offers potential opportunities to break the cycle of corruption by motivating behavioural change out of concern for social standing because "if you are penalised and excluded socially, you cannot survive in our culture."¹⁴ Harnessing this sense of shame and the deeply communitarian nature of society offers one potential way to develop institutional cultures that reject corrupt behaviours.

The interviewee stressed that he thought the most effective way to combat corruption would be to harness Malian traditions and practices rather than relying solely on abstract legal arguments. He suggested utilising the power of the griots (West African storytellers or poets) and the marabouts (religious leaders) to revive the sense of shame and the power of social exclusion. Nowadays griots are just known for singing people's praises, but traditionally these folk entertainers used to also compose witty verses to denounce or draw attention to poor conduct. These verses would stay with someone for life and bring shame on the person's family.¹⁵ The pronouncements of marabouts, the holy men and religious teachers, can similarly carry significant social weight. However, another source expressed doubts about the griots' capacity to fight corruption, claiming that they are often encouraging it.¹⁶ The source added that some of the country's most influential religious leaders are enmeshed in patronage networks – receiving favourable fiscal terms for their business activities – undermining their legitimacy to lead any anti-corruption campaign.¹⁷

Nepotism and rent-seeking

Another central aspect of Malian society that completely undercuts the Weberian ideal of an impersonal and fair bureaucratic state is the high degree of nepotism and cronyism, often influenced by ethnic allegiances. The norms associated with these allegiances manifest

themselves in a wide variety of ways and contexts, but in terms of corruption, these ties afford undue advantages to people from the same ethnic group.

Nepotism and rent-seeking behaviours exert a large influence over recruitment and promotions in the armed forces. A senior security governance expert asserted that decisions relating to where soldiers are assigned to and whether they are promoted are steeped in ethnic considerations. It is worth reiterating just how unexceptional this is: granting favours to one's ethnic kind is a widely-accepted element of Malian society. Subsuming this mentality to objective, demonstrable criteria is going to take a long time.

Numerous sources confirm that promotions' processes within the armed forces are still riddled with corruption, albeit not necessarily in the way one might expect. The popular perception that a career in the army is an asset that can generate flows of illicit income is long-established in Mali, as noted by a World Bank report from 2008.¹⁸ And this remains the case today. A foreign defence attaché in Bamako said a lieutenant colonel within FAMa had told him that "if you don't pay, you don't advance even if you are good enough."¹⁹ The soldier said that ability is still important, but paying senior colleagues is required. Paying, therefore, doesn't necessarily skew the system against those who are competent, although those who are unable to pay are clearly at a severe disadvantage. Individuals can consider their fee a long-term investment, safe in the knowledge that an elevated rank will increase their rent-seeking potential.

Bureaucratic corruption and ethnic obligations can often overlap. Ibrahim, a private security guard from the Dogon community, explained to the researcher how he had recently renewed his identity card. He said the official price of renewing the identity card was CFA1,500 (US\$2.53, but in reality, many people have to pay significantly more than that because of the rent-seeking tendencies of officials.²⁰ He explained that in Bamako people have to pay as much as CFA10,000 (US\$16.90) if they don't have the original copy of their birth certificate: anywhere else in Mali a copy of the birth certificate would suffice.²¹

The normal procedure for renewing the card can be very time-consuming. It requires going to the relevant bureau early in the morning, putting your name on a list, and waiting for several hours in the hope of being selected. Failing to make that day's cut means that the entire process must be repeated on another day. To avoid having to truncate his working day and to mitigate the risk of having to pay CFA10,000 to renew his identity card, Ibrahim solicited the help of a fellow Dogon employed at the bureau to access the director. The result was that he renewed his card much more quickly and had to pay only CFA5,000 (US\$8.45) for the privilege – still CFA3,500 (US\$5.91) more than the official cost.²²

This story not only attests to how some people believe ethnic ties can help them obtain undue advantages in dealing with the state bureaucracy, but also highlights how corruption has been normalised to the point of banality. People are not at all outraged by rent-seeking behaviours: they have come to accept them as a routine part of life. There is simply no faith in the police or the public authorities to tackle corruption.

Beyond acceptance, the story shows that some Malians price in the extra cost of corruption and even develop strategies to mitigate the risk of having to pay excessively large bribes. This is not surprising given that corruption is something that people in Mali have grown up with. Many individuals who have attended a school in the country will be aware that high-school diplomas can be bought – allegedly for around CFA250,000-300,000 (US\$422-507) nowadays.²³ Being raised in a society where teachers, police officers and civil servants often extract illicit payments inevitably changes the way people see public services. In addition, as an adult living in a society where everyone seems to be maximising their rent-seeking opportunities, economic logics encourage that person to similarly capitalise on any chance to boost their income: a person who knows they will have to pay extra for all their administrative dealings will be even more reluctant to refuse their own rent-seeking opportunities.

Institutional culture

It is clear that the culture across the defence and security establishment has held an especially important role in perpetuating corruption and denying accountability for wrongdoing. Recruits into public institutions where corrupt practices are widespread and accepted, such as the police, are more likely to become corrupt themselves. As one junior police officer remarked, "none of my superiors has ever said it is wrong to take bribes. I routinely see them taking them."²⁴ In the absence of strong values concerning integrity, new employees instead absorb and adopt the values they see being demonstrated daily within their organisations, whether it is the army, the gendarmerie or the police. The most extreme manifestation of this, as one Malian journalist said, is that "if you don't comply with the ingrained practices, you'll get sacked and be replaced with someone more compliant."²⁵

In a setting where social hierarchies and community dynamics are so influential in determining behavioural norms, changing the institutional culture is one of the most important routes towards reducing corruption. To tackle this problem, a civil society leader insisted that institutions rather than just individuals must be held accountable.²⁶ In his view, the typical strategy of merely pursuing individual offenders is destined to fail. In the rare cases where embezzlement or misuse of funds is identified, the focus is overwhelmingly on the guilty employee, who might be

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sacked. In the most serious examples, legal action may even follow. But, crucially, the system is not prompted into any kind of meaningful reform. The public institution where the employee worked remains entirely unchanged, it receives the same annual budget the following year and the bad practices persist.²⁷

There must also be administrative consequences. The interviewee advocated that "for a start, the public body with responsibility for the employer who has embezzled state funds should be obliged to reimburse the government."²⁸ He suggested this could be done by cutting the institution's budget for the next year. This would serve as a disincentive to bad budget management and encourage internal audit mechanisms to become more effective. Such a policy would mirror the way the IMF and the World Bank suspended aid flows to the Malian government in 2014 in the wake of the revelations about costly off-budget defence purchases.

His more radical solution would be to cut the bonuses or even the salaries of employees tasked with overseeing the organisation's finances or the offender's line manager. "I say this as a Malian. When someone at a public institution is embezzling funds, most of the individual's colleagues are aware or at least have strong suspicions. But they don't report it: it's not their money, so they don't care."²⁹ Linking their pay to their organisation's performance would be an effective way of making them care and encourage them to denounce malpractice.

Commitment to reform

Transparency International's work shows that successful anti-corruption reform is predicated on strong, visible commitments from senior political figures and defence and security leaders. Mali's political and military leaders need to show a sustained commitment to genuine reform if this is to be achieved. But this has been notably absent in recent years.

During IBK's first term as president which ended in mid-2018, five men served as defence minister. Two of these were themselves personally implicated in corruption scandals, underlining the scale of the problem. An investigation in 2014 by the national audit body (BVG) into the off-budget purchases of a new presidential jet and various military vehicles unearthed damaging allegations. The defence minister in question not only broke the law by utilising Article 8 of the procurement code without justification, according to the BVG, but he was also responsible for signing the contracts for the heavily overpriced military vehicles.³⁰ The BVG was unable to determine why the vehicles were so overpriced or whether public funds were misused.

Meanwhile, another defence minister ended up being

dismissed after he was directly implicated in the dubious award of a public tender for military equipment, worth CFA20 billion (US\$33 million). Local media alleged that the deal contained a kick-back of approximately CFA4 billion (US\$6.7 million) for several high-placed individuals involved in the awarding of the contract.³¹

The final defence minister of IBK's first term, Tiéna Coulibaly, showed signs that he was intent on tackling corruption in the armed forces (see Personnel Risks below). However, following IBK's re-election in August 2018, he was moved to the Ministry of Justice. The resignation of the entire government in April 2019 brought yet another change, meaning that the country is now on its seventh defence minister in six years. The frequency with which defence ministers are changed severely limits the government's ability to change the culture within the armed forces.

The former Chief of the General Staff of the armed forces, M'Bemba Moussa Keita, is another individual who showed a willingness to reduce corruption until he was sacked in April 2019 following the security forces' failure to stop a massacre of civilians in Ogossagou.³² During his time in the post, he called on soldiers to uphold the army's values and be mindful of presenting a positive image of the FAMA, warning that he would impose penalties for misconduct. Two independent sources in Bamako told the assessor that the chief was keen to implement an electronic payment system for salaries, adding that he was genuinely committed to reducing corruption within the armed forces.³³

The introduction of such a system would directly target some of the most deeply-ingrained and damaging practices in the armed forces. A digitalised system would eliminate the opportunities for unit commanders and defence officials to skim off small percentages of soldiers' salaries and allowances. It would also reveal how many people each commander has under their authority and curb the opportunities for unit leaders to pocket the salaries of non-existent, deceased or retired soldiers. As a result, many officers are reportedly resistant to the idea, which shows the need for strong and sustained leadership to undertake the reform.³⁴

In addition, there is a pressing need for the military's code of conduct to be revised and for a greater emphasis on anti-corruption in training programmes to change the institutional culture. The FAMA operate according to an established code of conduct, which forms a key part of every soldier's basic training (see Operational risks for how anti-corruption training could help change institutional cultures). Although the code addresses some ethical issues and behaviour, it does not explicitly mention corruption as something that compromises the integrity of the armed forces.³⁵ Several commentators in Mali have argued that the army requires a new code of ethics

and compliance if the government is to have any hope of eradicating corruption and other abuses, which are widespread.³⁶

Whistleblowing

Whistleblowing, one of the most important mechanisms for identifying corrupt practices, is exceedingly rare in the Malian defence and security sector. The current approach of seeking to pick out the few bad apples to solve the problem has proven fanciful in institutions that have been steeped in corruption for decades.

For essential root and branch reforms to have any chance of success, Malian leaders will need to foster a culture where whistleblowing is actively encouraged and underpinned by effective legal protections at every level. There are many disincentives to report malpractice, meaning that corrupt behaviour within the defence and security sector goes largely unreported.

Among these, three fundamental barriers stand out. Firstly, there is a complete absence of legal protections for individuals who wish to report suspected wrongdoing. Aggravating this problem is the fact that institutions are not held accountable for how they operate, creating opportunities for corrupt senior officials to consolidate their power. In this environment, informing on colleagues not only seems futile, but it carries with it genuine risks of being sacked or demoted. These first two issues are closely related to the lack of legislative oversight described in the second part of this report.

The third, and perhaps most important barrier, is one of social exclusion. This is one of the most commonly identified deterrents for would-be whistleblowers in all systems; it is particularly strong in military cultures where teams are incredibly close-knit and loyalty is highly prized. The fear of social exclusion is particularly strong in Mali, as in many other parts of West Africa. While the country has a rich and diverse tapestry of peoples and customs, the importance of community cohesion over disruptive individual action is a prominent feature among all ethnic groups promote community cohesion. Even if senior officials were publicly accountable, and whistleblowers could be protected from direct reprisals, many personnel would still be deterred by the prospect of potentially isolating themselves socially.

Low salaries

The low wages paid to soldiers and police officers in Mali create an economic imperative to supplement their salaries. The police force is notorious for extorting money from the population to increase income. In some cases, insufficient remuneration leads to security personnel taking

up second jobs. Senior officers have also been known to undertake illicit sidelines, such as selling fuel, equipment and even weapons.

IBK's government has taken steps to boost salaries in the armed forces to address low morale and improve the military's efficacy. During IBK's first term, the authorities increased pay levels by 15 per cent, which means that each soldier now earns between CFA75,000 and CFA100,000 per month (US\$126 and US\$169).³⁷ The pay rise should, in theory, reduce the need for soldiers to take up second jobs. This is important because it increases the likelihood of soldiers remaining on base and attending the training sessions that they were previously missing. The salary rise should also weaken the rationale for members of the armed forces to illicitly sell military property, such as army uniforms and petrol supplies.

By contrast, Transparency International was unable to find a clear and verifiable breakdown of current salaries for senior military figures. A source from 2007 reveals that at the time army generals earned CFA236,840 per month (US\$400), but this is likely to have increased in the intervening decade.³⁸ However, this figure does not include bonuses and allowances, which can often amount to four or five times this amount.³⁹ To provide some context, doctoral teaching assistants at university earn a minimum of CFA366,000 per month (US\$619), plus allowances, bonuses and expenses totalling CFA180,000 (US\$304).⁴⁰

For the police, the average salary of a regular sergeant is about CFA100,000-125,000 (US\$169-211) per month.⁴¹ To put this into context, unskilled labourers who do not possess a high-school diploma typically earn CFA2,500 per day (US\$4.40), potentially giving them a monthly salary of CFA50,000-65,000 (US\$88-114).⁴² The fact that many soldiers and police officers still earn little more than unskilled labourers partly accounts for why many individuals look to supplement their incomes. Police officers working in Bamako can earn additional sums of between CFA15,000 (US\$26) and CFA30,000 (US\$52) each day by extracting 'fines' from motorists.⁴³ Sometimes these penalties relate to minor infractions, such as not having all the necessary vehicle documents, which should officially be handled more formally. But sometimes the motorist has committed no offence at all. When an individual can earn up to six times their salary by extracting high volumes of low-value payments 'to buy some tea', it seems clear that the wages are too low. As one Malian journalist told the assessor "corruption affects all sectors, from the very bottom to the very top. It is built into the system because low salaries favour corruption."⁴⁴

While there is a strong body of evidence to show that low salaries can incentivise or rationalise corruption, further salary increases are unlikely to constitute a sufficient solution on their own. Behavioural studies show that humans are extremely adept at rationalising unethical

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practices if they benefit significantly from them, and this appears to apply to the Malian defence and security institutions as well.⁴⁵ In particular, one civil society leader cautioned against expecting salary increases to improve the situation. He noted that previous governments increased the salaries of judges in the belief that doing so would help tackle corruption. But, in his view, “the justice system is to this day one of the most rotten public institutions of all.”⁴⁶

Greed and impunity

At the very upper levels of the public administration, individuals who seek to maximise their own utility have ample opportunity. Indeed, being at the top of the food chain can significantly distort the cost-benefit analysis of ‘rational choice’ actors because the opportunities are abundant and the risks of being held accountable are small.

Firstly, the potential rewards are significantly higher. As one Malian journalist said, “corruption has not just become normalised, but people are seeking to squeeze as much out of their opportunities as possible.”⁴⁷ He cited the following story as an example of the rapacious appetites of certain well-connected figures. A few years ago, a European-based energy company obtained a contract to construct a power station in the region of Koulikoro, just to the north of Bamako. During the initial negotiations, the firm had been advised by the wife of a senior politician within the government. Once it had been verbally agreed that the company would receive the contract, the minister’s wife demanded a one-off payment of EUR3 million, as well as 5 per cent of the project’s profits for the next 25 years.⁴⁸ The firm refused, and the development was subsequently blocked. The case highlights the disproportionate sense of entitlement that prevails among sections of the ruling elite.

Secondly, the potential costs are perceived to be lower because the chance of being found out and prosecuted is greatly diminished. Indeed, given that defence and the intelligence services are the least transparent elements of government affairs, the risk of being caught red-handed at these institutions is lower than anywhere else in the public administration. This imbalance heavily skews an individual’s cost-benefit analysis in favour of malpractice. It is therefore unsurprising to hear of well-paid commanders or senior officers skimming off the salaries or misappropriating the allowances of their subordinates. Such cases strongly indicate that greed is also a significant driver of corruption within the military and security forces.

The fact that military purchases can be exempted from the usual procurement requirements and can be made off-budget creates major opportunities for corruption when awarding large defence contracts. The off-budget

purchases of a new presidential jet and various military transport vehicles in 2014, which were inexplicably set to cost up to five times the market price, are primary cases in point.⁴⁹ In the absence of open tenders or any kind of scrutiny of contracts, individuals’ private financial incentives can easily overwhelm any notion of the public good and highly-dubious deals can be approved. The secrecy of these purchases means that the risk of being caught is especially low.

Even when damaging allegations emerge, senior politicians have rarely had to account for their behaviour, let alone face a serious criminal investigation. When the BVG conducted its investigation into the acquisition of the presidential jet and the contracts for the heavily overpriced military vehicles, its findings were damning. For instance, it noted that during the acquisition of the presidential jet CFA1.4 billion (US\$2.4 million) was spent on commissions and fees paid to a broker linked to a friend of the president.⁵⁰

Furthermore, the BVG determined that the then ministers of defence and finance had broken the law in deciding the purchases could be made off-budget, as cited above (See ‘Institutional culture’).⁵¹ Despite this criticism, the government never explained why the contracts were hidden from public view. Nor did the defence minister ever publicly account for why he deemed it necessary to pay over the odds for the military vehicles. Following the revelations, the IMF and other donors threatened to suspend aid to the Malian government. This threat prompted the Malian authorities to launch a criminal investigation, but there is no record of any individual being held accountable for breaking the law.

Reports strongly suggest that the then defence minister was set to profit personally from the deal involving the overpriced military vehicles. In 2014, French police arrested Robert Franchitti, the owner of the company that was supplying Mali with the vehicles, on his arrival at a hotel in Paris where the minister was staying.⁵² Franchitti reportedly had EUR10,000 in cash on him, which he was intending to pay to the defence minister, and was later indicted on charges of “corrupting foreign public officials.”⁵³

PART II: ENABLERS OF CORRUPTION – STRUCTURAL OPPORTUNITIES

Political risks

The effectiveness of parliamentary oversight is mixed

The National Assembly is one of the most important institutions for mitigating the risks of corruption within the army, gendarmerie and the police. Parliament exercises this role by examining and approving annual defence budgets, voting on strategic military spending programmes and scrutinising legislative reforms of the armed forces. These powers are guaranteed by the constitution.

There is clear evidence that the National Assembly carries out such tasks. Each year the annual military budget is first examined by the CDSPC. It invites the directors of all the divisions of the armed forces and the Minister of Defence to discuss their annual objectives and their budgetary requirements. The committee has the power to propose amendments to the budget or to reformulate the military's objectives. The draft budget is then presented to the National Assembly where it is debated and voted on.

But parliament's capacity to scrutinise Mali's defence sector has clear limitations, and the assembly's formal oversight function can easily be bypassed. In 2014 and 2015, the National Assembly debated and voted on the Loi d'Orientation et de Programmation Militaire (LOPM), the government's primary piece of defence legislation. It provided for US\$2.3 billion of investment for the armed forces between 2015 and 2019.⁵⁴ The CDSPC scrutinised the LOPM and every year the government is required to present a list of its purchases to enable the committee to check it conforms to the needs outlined in the original document.⁵⁵ In practice, research shows that several military acquisitions had not been reviewed or approved by the National Assembly or the CDSPC before the actual purchase.

The CDSPC's ability to challenge the executive is heavily compromised

The CDSPC is the main body within parliament for scrutinising defence and security policy. It actively helps to formulate defence policy, but its ability to check the government is limited. The committee can propose amendments to defence legislation (including budgets)

before the bills are passed to the entire assembly. It also has the power to summon individuals to appear before it. Each year, the committee invites senior defence and security officials to discuss the mission, the annual objectives and the budgetary requirements of the police, gendarmerie and the army.

Despite these legal powers, in reality, the committee is closely tied to the executive, preventing it from acting as a credible independent check. Interviewees expressed specific concerns about the committee's ability to challenge the government given that it is chaired by the president's son, Karim Keïta. Critics note his previous lack of military and political experience and the extensive coverage he has received in Malian media for his various informal dealings, rapidly growing business interests, and expensive tastes.⁵⁶ Interviewees also pointed to the fact that only two members on the CDSPC belong to parties that are not part of IBK's governing coalition.⁵⁷ These aspects curtail the prospect of the committee effectively scrutinising the executive's defence policy.

Our research shows a range of evidence supporting these concerns. When details concerning the biggest defence corruption scandal of IBK's presidency to date emerged in 2014, it was civil society organisations rather than the CDSPC that were leading the calls for accountability. The case revolved around off-budget purchases of a new presidential jet, which cost CFA18.6 billion (US\$31.4 million), and a series of military vehicles, on which the Malian government had overspent by CFA40 billion (US\$67.6 million).⁵⁸ The chair of the defence and security committee was not among those demanding that the executive publish details of the controversial purchase.

Capacity constraints are likely to significantly limit the extent to which the committee can take the lead on defence-related matters. A senior security governance professional said that the CDSPC is neither well-staffed nor well-resourced, undermining its ability to provide any effective oversight of defence policy.⁵⁹ The committee's reports are not published, and it does not conduct any long-term investigations on current military operations. And only one of the 14 members of the committee, a former police officer, appears to have relevant experience on defence or security oversight.⁶⁰

Nevertheless, the committee has shown that it can

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contribute valuable input to defence reforms. A member of the committee noted that its proposals are sometimes integrated into the final legislation.⁶¹ In particular, the CDSPC played an important role in designing the new General Statute for the Malian armed forces, which offers clearer criteria for promotions. Maliactu, a news website that is often critical of IBK's government and has published several damning pieces on the president's son, commended the CDSPC for making "pertinent recommendations" regarding the new statute.⁶²

The defence budget is not completely transparent

Our analysis of recent defence budgets reveals some concerning gaps. The two most recent finalised defence budgets were made publicly available and widely published by domestic media.⁶³ While both budgets provided some detailed figures, the explanations and justifications afforded were largely superficial. Notably, there is no information in the budget on what "investment" specifically relates to. Given that "investment" accounts for almost half of the total defence spend, this is a glaring example of there being insufficient information provided.

In 2013, the World Bank noted that the maintenance of a special account for ongoing military operations in the country's troubled northern regions is a major vulnerability.⁶⁴ This account has no spending ceiling, budget charges display anomalies and lack transparency, and the controls performed on expenditures from the special account are much less rigorous than normal budget procedures. To date it is unclear whether the account is still active and if so, whether it is correctly audited and controlled or not.

The research did identify some positive trends to build on. For example, the 2018 budget contains a breakdown of defence spending into various categories: personnel, materials and functioning, travel and operations, communications and energy, other expenses, equipment and investment, transfers and subventions.⁶⁵ Although the level of disaggregation is modest in certain areas and the accompanying definitions are lacking, as noted above, the budget undoubtedly offers some transparency on defence spending. The government published the 2018 budget in September 2017 following the constitutional requirement. This allowed the National Assembly to begin considering the budget during the first week of October and eventually approve it in December 2017. The timely publication of the budget is not a one-off: in 2016, the government also published the forthcoming annual budget in September, more than two months before the start of the new fiscal year.

Auditors have their work cut out

There are major deficiencies in the auditing system, leaving defence finances largely unchecked by independent external authorities. Since its creation in 2004, the BVG has never carried out a compliance verification in the Ministry of Defence and Veterans' Affairs. This contrasts with all other important departments, whose finances have been subjected to external audits.

In 2014, the BVG did conduct an audit of the controversial purchase of a new presidential jet and other military vehicles. But this investigation only came about because the IMF and other donors threatened to suspend aid programmes to the Malian government. During this exceptional audit, the BVG determined the cost to be CFA18.6 billion (US\$31.4 million). Of this amount, CFA1.4 billion (US\$2.4 million) were commissions and fees paid to a broker linked to Michel Tomi, who many media outlets have alleged is an influential figure in the Corsican mafia.⁶⁶ Tomi faced several charges including bribery of foreign officials and was given a one-year suspended prison sentence in December 2018.⁶⁷ Moreover, the BVG never received access to the plane's operating contract, highlighting the limited ability of independent and external audit bodies to perform their functions in the face of opposition from the executive.⁶⁸ However, the investigation enabled the authorities to persuade the IMF and other donors not to suspend their aid programmes.

Intelligence services remain unaccountable to parliament and the public

The National Assembly's oversight does not extend to the intelligence services; whose spending programmes are completely opaque, creating glaring opportunities for corruption. The budget of the armed and security forces does not include the Direction Générale de la Sécurité d'État (DGSE), the country's main intelligence service. It is equally unclear whether the budget of the military's intelligence service, the Direction de la Sécurité Militaire (DSM), is included in the overall defence budget. There have certainly been no explicit mentions of intelligence spending in recent defence budgets. A member of the CDSPC confirmed to the assessor that there is no parliamentary committee vested with any responsibility or power for overseeing DGSE operations, organisation, budget or activities.

Furthermore, processes for appointing and promoting intelligence officials are similarly opaque and represent another potential enabler of corrupt activities. Such appointments appear to have typically been determined by political considerations, often with scant regard for probity and effectiveness. There is no information in the public domain relating to any vetting processes in place for senior intelligence appointments. Several cases indicate major failings are present, including that of a former Director-

General of the DSM, who was appointed in 2016 despite having a chequered history. In 2009, he was implicated in the trafficking and laundering of forged dollar bills, having previously been reportedly confined to his barracks for 60 days for misappropriating military funds between 2000 and 2002.⁶⁹ The lack of parliamentary scrutiny of intelligence appointments extends to the nominations of senior defence and security officials⁷⁰.

Engagement between the government and civil society is lacking on defence and security matters

There are frequent opportunities exist for civil society organisations (CSOs) to engage with defence officials in response to the ongoing security crisis. Parliament's defence and security committee often works with international non-governmental organisations (NGOs) to organise public forums to facilitate dialogue between CSOs and defence actors about the country's security strategy. As part of the Algiers Peace Accord, the government has created local consultative security committees to discuss challenges in their region and to make recommendations to the executive. Each committee comprises representatives from religious associations, civil society groups, women's groups, youth organisations and traditional leaders.

Malian activists and civil society leaders are continuing to emphasise the need for military reforms, greater discipline, and accountable governance. At the Conférence d'Entente Nationale (Conference of National Understanding) in Bamako in March 2017, numerous CSOs took part in debates about the major challenges facing the country.⁷¹ Delegates identified tackling corruption and the mismanagement of public funds as areas for serious improvement. One of the proposals that emerged out of the discussions touched upon the need to combat corruption within the armed forces.⁷² However, no further details as to how this should be undertaken were cited. It is also worth underlining that the recommendation represents one solitary mention of defence corruption in a 150-page report.

The government is understandably preoccupied with trying to restore and maintain the country's territorial integrity, as well as rebuild its military capabilities. But it has so far failed to seriously address the concerns of CSOs that corrupt governance and violations by the security forces are also driving the spread of insecurity and civil unrest. Moreover, neither the Ministry of Defence and Veterans' Affairs (MDAC) nor the Malian armed forces are subject to any policies that require them to be open with civil society organisations on defence matters. Both agencies appear to have regularly invoked "national security" to avoid releasing information that is reasonably in the public interest.

Absence of internal institutions to build integrity and tackle corruption

There are no institutions within the defence and security forces tasked specifically with building integrity or fighting corruption. The L'inspecteur Général des Armées et Services (Inspector-General) acts as the main body responsible for upholding good conduct within the armed forces. The Inspector-General ensures compliance with the code of conduct but does not have a specific mandate to root out corruption or build integrity. Moreover, there is no evidence of regular risk assessments being undertaken within the MDAC or the FAMA, making for a fertile environment for corrupt practices to flourish.

The practical implications of these gaps are clear. An interviewee in Bamako noted that while they had seen soldiers arrested and tried for offences such as theft, robbery and murder, they had not come across any disciplinary processes related to corruption charges.⁷³ Several media commentators have underlined that there is a need to adopt a code of ethics and compliance in the armed forces for the government to have any hope of eradicating abuses such as corruption.⁷⁴

Good practice:

- Publication of an annual defence budget, by the Government, that provides a more detailed breakdown of expenditure across functions, including training, salaries, acquisitions, disposal of assets, maintenance and personnel expenditure. Increasing the transparency of defence finances helps ensuring that internal and external audit mechanisms have access to the information they need to function optimally.
- Parliamentary Defence and Security Committee should routinely undertake the following activities:
 1. Scrutinise and approve or reject the candidates selected by the Council of Ministers and the executive for senior military and security posts, including those in the intelligence services.
 2. Oversee, scrutinise and obtain financial details of any off-budget defence purchases before contracts are signed.
- Transparent, objective criteria and formal written procedures are in place for the selection of the Defence and Security committee's chairmanship.
- Publication of external audit reports in a timely and regular manner to allow the legislature and civil society to scrutinise the decisions of the executive.

Financial risks

Accessing information on defence spending is extremely difficult

Mali does not have a Freedom of Information Law that entitles CSOs and media to access details about the management of state finances beyond what the government chooses to publish. Interviewees alluded to the practical effects: for example, one editor of a national newspaper in Bamako stated that the government will sometimes comply with requests for information, but only when it relates to matters that will not cause embarrassment.⁷⁵ Obtaining sensitive information from the defence ministry has been virtually impossible to date because of officials' readiness to invoke 'secret défense' or reasons of national security.

It is reasonable to assess that Malian government officials are sensitive about releasing any information or materials that could further damage the public's perception of the armed forces, among other things. The state is still experiencing a major crisis of confidence in the wake of the events of 2012 and its ongoing inability to prevent attacks across large parts of the country. Yet this creates a practical incentive for corruption – as paying bribes is one of the most common ways cited to overcome this lack of access, underlining a fundamental reality of contemporary Mali. More fundamentally, however, is the ease with which secret défense can be invoked with no resource to an independent arbiter creates a major opportunity to conceal the allocation of defence funds.

Defence Ministry spends major sums of money without explanation

The LOPM has mobilised EUR1.5 billion of funding for Mali's defence sector from 2015-2019.⁷⁶ This represents an important amount, with defence now constituting around a quarter of the annual budget. Yet, a lack of both transparency and independent scrutiny over defence spending leaves this highly susceptible to corruption. The level of spending on secret items is unknown and is not subject to parliamentary scrutiny, as highlighted in the political risks section. The maintenance of an off-budget account for operations in the north and the lack of transparency regarding the intelligence services merely compound the problem.

In particular, a legal loophole enables defence-related acquisitions to avoid normal government rules and procedures and Article 8 of the Code for Public Procurement and the Delegation of Public Services, which was updated in 2015, ambiguously states that:

"This decree does not apply to contracts for works,

supplies or services when they relate to the needs of national defence or security, which require secrecy or for which the protection of essential national interests is incompatible with the publication of such contracts."⁷⁷

In 2014, the BVG determined that the Minister of Defence and the Minister of Finance had effectively broken the law by incorrectly interpreting this clause, which existed in the previous version of the code. Both men had approved the off-budget purchases of a new presidential jet, costing CFA18.6 billion (US\$31.4 million), and military transport vehicles for a total price of CFA69.2 billion (US\$117 million).⁷⁸

The BVG does not usually audit off-budget defence purchases, but this investigation shows that, in exceptional circumstances, it can play an important role in scrutinising high-risk spending. However, the BVG's investigation would almost certainly never have taken place if the IMF had not threatened to withdraw financial aid unless the purchases were subject to a comprehensive audit. Even during this investigation, the BVG has never received access to the plane's operating contract, highlighting the limited ability of independent and external audit bodies to perform their functions in the face of opposition from the executive.⁷⁹

Nevertheless, the BVG was able to reach some important conclusions that led to the government blocking some highly-questionable purchases. Firstly, the state auditor found no justification for why the MDAC had not registered the contracts and submitted them as part of the annual budget.⁸⁰ The BVG also determined that the contracts for the military vehicles were heavily overpriced: the government was scheduled to pay up to five times the market price for some of the vehicles, inflating the total cost by about CFA40 billion (US\$67.6 million).⁸¹ The contracts for the transport vehicles inevitably raised questions about where the additional money was going, and ultimately the government was forced to cancel them. Until now, neither minister has explained why they authorised contracts that appear to represent such bad value for the state, or why they applied Article 8 for run-of-the-mill items such as lorries and petrol tankers that did not merit secrecy.

Unauthorised private enterprise is commonplace

Evidence suggests that many defence and security officials seek to supplement their incomes through unauthorised and sometimes illicit activities, despite clear legal prohibitions on private enterprise. The General Statutes for civil servants and the police outlaw employees pursuing any commercial interests that could be seen to compromise their independence or discredit their institution.⁸² The General Statute for the armed forces is even stricter: it forbids members of the military from

engaging in any profit-making activity.⁸³

In practice, it appears these laws are routinely flouted. One interviewee noted that it was common to visit military bases only to find them half empty because soldiers were elsewhere, performing manual labour to earn a little extra money.⁸⁴ More worryingly, a wealth of evidence shows that police officers and gendarmes are implicated in human trafficking, extracting bribes from migrants and smugglers alike in and around Gao. Security and defence officials have also previously been involved in drug trafficking, but evidence suggests these practices have become less widespread since IBK became president in 2013.⁸⁵

By contrast, there is little evidence to suggest that military leaders have stakes in major businesses. Military-owned businesses, as with many other defence activities, are not subject to any meaningful scrutiny.⁸⁶ Indeed, the amount of income generated by the armed forces is not publicly known, partly because of the BVG's inability to audit defence accounts.⁸⁷ The Direction du Génie Militaire, DGM (Directorate of Military Engineering) is a body within the armed forces that is responsible for undertaking public construction works – both in the execution and the pre-construction studies.⁸⁸ The DGM typically works on projects that the state deems necessary, but which fail to offer a sufficiently enticing profit-margin for private companies. Through such activities, as well as other entities such as military-run bars and leisure facilities, the army generates incomes that are not publicly accounted for. The lack of transparency regarding these additional income streams serves as another viable enabler of corruption.

Good practice:

- Off-budget purchases are heavily restricted and only permitted in exceptional cases, for clearly defined reasons of national security. If off-budget purchases are made, they should still be fully audited by the BVG even if the financial details are not publicly disclosed. Having absolutely no oversight of any defence purchases creates a fertile environment for the potential misuse of public funds, kickbacks and cronyism.
- The government ensures that all ministries, including the Ministry of Defence, always provide external audit bodies with comprehensive and detailed financial accounts on request.
- The Inspector-General works with unit commanders to guarantee that defence and security personnel do not engage in unauthorised private enterprise. Existing laws are implemented, and actions are taken against transgressors to send a clear message to all defence and security officials that such activities will not be tolerated.

Personnel risks

Defence ministers and senior leaders fail to tackle corruption

Defence officials have seldom made stated commitments to eradicating corruption, indicating a widespread unwillingness to address the problem. During IBK's six years as president, there have been seven different ministers of defence, which in itself is a major obstacle to mounting a sustained drive to root out corruption. There is also a limited record of defence ministers making overt pledges to combat bribery and cronyism.

Indeed, IBK's first defence minister was judged by the BVG to have broken the law when he decided that purchases of a new presidential jet and heavily overpriced military vehicles could be made off-budget (See 'Institutional culture'). IBK's second defence minister was sacked in late 2014 shortly after he was directly implicated in the dubious award of a public tender for military equipment worth CFA20 billion (US\$33.8 million). Local media outlets alleged that the deal contained a kick-back of approximately CFA4 billion (US\$6.7 million) for several "high-placed individuals" involved in the awarding of the contract.⁸⁹

One notable exception was Tiéna Coulibaly, who served as Minister of Defence between April 2017 and September 2018. Within a month of his arrival at the MDAC, Coulibaly publicly identified recruitment as the army's main weakness.⁹⁰ In a public statement, he detailed how various ministers, members of the National Assembly and defence and security officials would present their lists during recruitment processes of who should be selected. Coulibaly emphasised that rather than recruiting people with the skills and the desire to defend the nation, the current process favours those who are well-connected. He also highlighted the risk that these new soldiers, recruited without competition and "for whom strings have been pulled", are unfit for fighting because they are simply in the armed forces to draw a salary.⁹¹ Finally, the Minister pledged to ensure that soldiers are recruited through a fair and competitive process in the future.

The payments system is riddled with irregularities

Amid a weak system of oversight, the lack of separation between chains of command and chains of payment can lead to serious irregularities in the payment of salaries and bonuses. The World Bank identifies that the main risks affecting the payment of wages in the military are at the local level, involving unit commanders skimming off a layer for themselves.⁹² Meanwhile, the IMF points out that there is no mechanism for systematically detecting potential anomalies in the payments system, leaving it highly vulnerable to abuse.⁹³ Indeed, military accountants are

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subject to fewer external controls than their counterparts in other ministries. Unlike all other public-sector accountants, accountants at the MDAC are not appointed by or with the agreement of the Minister of Economy and Finance.⁹⁴ They are therefore uniquely not accountable to the finance minister, only to the defence minister.

While some salary levels are published, others are incomplete or not publicly disclosed. For instance, there is an established system for salaries and allowances for members of the armed forces. During IBK's first term as president, the Ministry of Defence and Veterans' Affairs increased soldiers' salaries by about 15 per cent as part of a series of military reforms. Each soldier now earns between CFA75,000 and CFA100,000 per month (US\$126 and US\$169, in addition to a risk bonus/allowance of CFA1,200 (US\$2.03) for every day spent as part of an active military operation.⁹⁵

However, several security sources, as well as the World Bank and IMF, note that there are systemic problems in the payments' framework, which one interviewee described as "dysfunctional."⁹⁶ The interviewee said that pay is not always determined by rank: who you are and where you work are often more important determinants, despite the gradings that are officially published.⁹⁷ There are also occasional short delays in the payment of salaries, bonuses and allowances to members of the armed forces, police and other civil servants.⁹⁸

Also, the assessor was unable to find a clear and current breakdown of salaries for more senior military figures. It was also not possible to obtain a breakdown of pay grades within the civil service more generally from within the past ten years.

Security sources in Bamako emphasised that the former Chief of the Defence Staff, General Keïta, was keen to implement an electronic payment system for salaries.⁹⁹ Yet, interviewees also noted that there was resistance within the military hierarchy to the proposed reform, as it would dramatically reduce opportunities for certain commanders and officials to illicitly profit.¹⁰⁰ Not only would an electronic payment system kill the "golden egg" of commanders, but it would also help eliminate ghost soldiers from the payroll.¹⁰¹

Political motives and corruption undermine the promotions/appointments process

Defence and security appointments in Mali continue to widely be seen as assets that offer significant rent-seeking opportunities and access to illicit incomes. This system creates a secondary market in which those who have the power to hire or to promote can extract payments from candidates. It was clear during research that ethnic kinship, cronyism and patronage continue to retain a large influence within the armed forces, meaning that

connections are often more important than objective attributes. One lieutenant colonel remarked to a source that corruption is so widespread that officers have to pay to gain a promotion even if they have the necessary qualifications for the more senior role.¹⁰²

Formal processes are in place for the appointments of senior military personnel, but evidence shows that political considerations continue to unduly influence the selection process. The President, the Minister of Defence and the Council of Ministers appear to be the only individuals and bodies involved in appointing officers, unlike in most professional militaries around the world.¹⁰³

Although there are some prerequisites in place for the selection of more senior military personnel – training, qualifications and command experience – such appointments are not subject to independent scrutiny. A member of the CDSPC confirmed that the committee does not play a role in scrutinising or vetting military appointments.¹⁰⁴ Nor is there a suitably independent civil service body, such as a state services commissioner, to appoint and review the performance of service chiefs and other executive roles in the sector.

Evidence instead suggests the process for making such appointments is deeply politicised and informal, with candidates gaining their post largely because of their connections in government or to serve wider political interests. The most recent example of an overtly political appointment to a senior military post came in February 2018, when the former Chief of Staff was nominated as Inspector-General of the Army.¹⁰⁵ The appointment was made by the Council of Ministers, having accepted the nomination of the Minister of Defence. With the individual in question having been a key figure in Captain Amadou Sanogo's military junta in 2012, the appointment was highly controversial. This was especially so because he was appointed a mere 15 days after a court in Bamako had lifted his probation status.¹⁰⁶ He had been facing charges of "passive complicity" in the assassination in 2012 of 21 members of the red berets, a rival unit to that of Sanogo's green berets. The International Federation for Human Rights called for the trial of Sanogo's ally to resume, but such pleas went unheard.¹⁰⁷

Making such a controversial appointment appears odd at first glance, but it can be better understood when one considers the timing of the presidential elections in July/August 2018. It is reasonable to assess that the appointment helped secure the president votes in Sikasso, Mali's most populous region, where Sanogo retains strong support. The move also helped IBK shore up his support within the armed forces at a time when another member of Sanogo's junta, Moussa Sinko Coulibaly, was preparing to challenge him for the Presidency.¹⁰⁸ The overt political calculations in this appointment and the sudden lifting of the general's probation status cast a huge shadow of

doubt over the probity of the process.

The basis for an objective framework does nonetheless exist. In May 2017, parliament approved a new general statute for the military that outlined clear selection criteria for appointments and promotions to various grades. For example, the statute stipulates that no person can rise to the level of General unless they have completed a programme of higher military education, obtained a postgraduate university, or demonstrated the requisite technical skills.¹⁰⁹

The general statute also outlines the criteria for becoming an Officer and states that the recruitment of officers is conducted via the military officer training schools. Candidates must already hold the grade of Chief Warrant Officer or Major Chief Warrant Officer to be eligible. The government has also tightened up the criteria for recruiting to the armed forces lower down the command chain.

A senior security governance professional said that the recent updates to promotion criteria represented an improvement but still fell short of what is needed.¹¹⁰ The interviewee noted that very few of the updated job descriptions and applications forms were used during the FAMA's recruitment drive in 2018. According to the interviewee, the government's rationale for not using the new procedures was because the deteriorating security situation in the centre of the country was "too urgent."¹¹¹

The absence of protections for whistleblowers discourages denunciations

Malian law does not provide legal protections for whistleblowers in either the private or the public sector. In 2018, the government enacted a law to protect human rights activists from being pursued, arrested or detained by police for opinions expressed in their published reports.¹¹² However, the law does not address the topics of corruption or whistleblowing at all. In reality, whistleblowers are more likely to be arrested and face punishment for sharing information unlawfully rather than be protected. In January 2018, the authorities detained a military sergeant, Oumar Keita, after a video in which he made damaging allegations about senior army officials embezzling state funds was posted online.¹¹³

There is no culture of whistleblowing in Mali, with evidence suggesting that there are almost no incentives to doing so. For example, one Malian journalist interviewed expressed the view that there are no whistleblowers from within the system – and that only when people lose their jobs do they start to denounce illicit practices.¹¹⁴ The interviewee indicated that corruption is so rampant in certain public institutions that if an individual were to raise any objection to illicit practices, they would probably be dismissed.¹¹⁵ This view was echoed by another civil society leader interviewed (see 'Institutional culture').¹¹⁶

Military officials and civil servants are not subject to suitable codes of conduct

There is a code of conduct for all Malian military and civilian personnel that address ethical issues and behaviour. Crucially though, the code does not refer to bribery, gifts and hospitality, conflicts of interest or post-separation activities.¹¹⁷

Nevertheless, standards of conduct related to bribery and corruption are established in legislation, forming the appropriate reference point for the code. The 1961 Penal Code (amended 2002) specifically outlaws corruption and acts of bribery for all public servants, including military personnel.¹¹⁸ Punishments can range from five to ten years in prison and fines of CFA100,000 (US\$169).¹¹⁹

Behavioural expectations are routinely communicated to members of the armed forces. Soldiers must learn the code of conduct by heart during basic training and copies of the code are displayed in prominent locations at military bases. However, the code is not readily available to the public.¹²⁰ This represents a lost opportunity to build shared behavioural expectations and thus strengthen people's confidence in the integrity of the armed forces.

The code's effectiveness is doubtful given the widespread abuses in the armed forces and the lack of relevant investigations (see Internal institutions to build integrity and tackle corruption do not exist). Numerous human rights organisations have expressed concerns that, since late 2016, Malian forces may have committed extrajudicial killings, enforced disappearances, and tortured men accused of supporting armed Islamist groups.¹²¹ Despite these alleged abuses, to date, there is little evidence that either the military or civilian justice systems have seriously investigated these cases or brought perpetrators to account.

Good practice:

Personnel, promotion and chains of payment

- Defence and security forces to disclose the number of staff members they employ and their relevant ranks to parliament and the public. Greater transparency on staff numbers would help tackle the problem of ghost soldiers and reduce opportunities for the abuse of the payments system.
- Publication of salary bands and eligibility criteria for all ranks to ensure transparency in promotions and recruitment. Increased clarity on these matters would help establish benchmarks and clear criteria against which personnel are evaluated for promotion and recruitment, ensuring that these decisions are made on the basis of performance and quality.
- Separating chains of command from chains of

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payment in defence and security institutions in order to reduce the risk of commanders taking cuts from their troops' salaries and pushing them to complement their pay by other means. Equally, the implementation of electronic payments systems reduces the scope for bonuses to be diverted or for salaries to be skimmed.

Institutional integrity

- Demonstration by government officials and senior military officers of consistent leadership in tackling corruption within the defence and security forces. This can involve:
 1. Outlining detailed policies to combat illicit practices and dismantle the culture of impunity.
 2. Articulating, via public and private speeches, why tackling corruption is vital to boosting the capabilities of the defence and security forces.
- Developing codes of conduct for the relevant security forces making it explicitly clear that all forms of corrupt activity are prohibited and constitute a breach of the code, and outlining the possible sanctions for officers found guilty of corruption to deter would-be transgressors and increase accountability.
- Establishing channels, in all defence and security institutions, through which officials can safely report any suspicion of corrupt activity, introducing specific and robust protections for whistleblowers, and ensuring that the appropriate mechanisms for reporting suspected wrongdoing anonymously function properly.

Operational risks

Corruption is not identified as a strategic issue for military operations

Poor governance, the presence of thriving black markets, narcotrafficking and organised crime are all features of the security dynamics in the border regions and ungoverned spaces in Mali. The Malian military is exposed to high degrees of corruption risk when on military operations in these areas. Yet, the government has not identified corruption as a strategic issue for the reform of the security sector.¹²²

This leaves the country without a credible policy to combat corruption in the defence and security services. Compounding this problem is the fact that the country's wider military doctrine is still being developed.¹²³ Currently, there is no established doctrine to help train commanders

understand how corrupt behaviours can undermine operations or to be able to identify and address the risks of corruption that they are exposed to in the field. Moreover, at present these risks appear to be entirely unconsidered: the government's flagship defence reform programme, the LOPM, merely focuses on increasing military spending, recruiting more soldiers and buying more equipment.¹²⁴

The MDSF receive no training on building integrity or tackling corruption

There is no evidence to suggest that relevant training on building integrity is taking place at any level within the Malian defence and security forces.¹²⁵ There is also no evidence to indicate that individuals are trained and deployed to monitor corruption in the field, meaning that malpractice can continue unchecked during military operations. This chimes with the fact that senior defence officials have not identified building integrity or tackling corruption as a strategic issue.

There are two domestic training schools for international missions where training modules to build integrity in the military could be delivered. The first is the Koulikoro Military Administration School, which provides training for officers from African contingents who carry out administrative or financial duties. The school offers courses on human rights and international treaties, but a specific focus on corruption is not present.

The second is the Alioune Blondin Beye School of Peacekeeping in Bamako, which trains officers from all over Africa. The school offers some limited training relating to anti-corruption as part of the standard UN peacekeeping modules it uses. Its course on ethics includes teaching on the code of conduct, trafficking and discipline, although there is no specific focus on corruption or building integrity.

The EUTM offers a third possible option for support, but the mission is operating at the request of the Malian government and does not have an executive or mentoring mandate: it can only deliver what the authorities request. As a result, the EUTM's training programmes focus overwhelmingly on military tactics and contain no components that relate to building integrity or addressing corruption.¹²⁶

Nevertheless, EUTM Mali is working to create more effective and transparent human resources systems for the FAMa.¹²⁷ The other EU training mission in Mali, EUCAP Sahel, is doing likewise with the human resources systems for the police, gendarmerie and national guard. If successful, such technical reforms would make it much more difficult for corrupt practices to persist unnoticed and would increase the chances of reform-minded leaders being able to transform the institutional culture of the defence and security forces.

Although the former director of EUCAP Sahel has spoken publicly about the need to install a citizen's ethic into the police to discourage it from preying on the population and demanding bribes, the mission is not authorised to deliver anti-corruption training modules.¹²⁸ It similarly does not have an executive or mentoring mandate. The fact that there are two sizeable international training missions operating in Mali unable to provide anti-corruption training to the MDSF represents a wasted opportunity for the Malian authorities.

Good practice:

- Identify corruption as a strategic issue for the reform of the security sector, and clearly outlining in the national military doctrine how corrupt behaviours can undermine operations.
- Including anti-corruption modules to raise awareness about the risks of bribery, gifts and hospitality, and conflicts of interest in training programmes for all members of the army, police, gendarmerie and the national guard.
- Including modules that better enable leaders to identify signs of corruption in training programmes for military commanders and senior officers within the police, gendarmerie, national guard and the intelligence services.

Procurement risks

Oversight mechanisms exist but face acute problems

External Bodies

Auditing mechanisms are formalised and operational, but their levels of activity and ability to do their job are heavily comprised by the military and the government. Most notably, the BVG is supposed to publish annual reports evaluating the government's various spending programmes, but it is frequently unable to fully scrutinise spending on defence and security. For example, when the BVG was investigating the controversial off-budget purchase of a presidential jet, the auditor never received access to the plane's operating contract.¹²⁹

Furthermore, Article 8 of the Procurement Code states that certain purchases that relate to national security can be exempt from the usual rules and procedures, virtually eliminating all oversight and scrutiny.¹³⁰ The fact that the government was found to have mistakenly used this clause in 2014 to conceal vastly overpriced defence contracts shows that the article is open to misuse.

Another public body, ARMDS, has an important oversight

function. Its job is to regulate the processes for awarding public sector contracts and scrutinise spending. However, it can only do this if government ministries are compliant. In 2016, ARMDS declared it was wholly unable to audit the finances of the Ministry of Defence and Veterans' Affairs for 2014 because of the lack of documents provided by the ministry.¹³¹

Internal controls

Internal controls are also insufficient because the excessive use of petty cash imprest accounts muddies the waters. The IMF notes that some of these accounts receive "quite substantial advances" that goes far beyond "minor operating expenditures."¹³² It records that the special imprest account of the Ministry of Defence carries out monthly expenditures exceeding CFA2.3 billion (US\$4 million).¹³³ The IMF determines that this spending is subject to very minimal controls considering the amounts of money involved. It says funds are released without prior proofs and receipts.¹³⁴ The controls to the expenditure being made are applied after the funds have been disbursed to a supplier or service provider.

Information on defence purchases is limited

As a general rule, the government does not disclose information relating to large defence purchases. Most of the limited information revealed about such procurements comes from the companies that have won the contracts rather than the MDAC. The lack of detailed and transparent accounting for such purchases exacerbates the risk of corrupt deals and the misuse of state funds.

In February 2016, Airbus announced it had received an order for a C295W aircraft from the Malian government, the first public record of this contract.¹³⁵ Similarly, the MDAC's purchase of Russian attack helicopters in September 2016 was not revealed by the government, but was first reported in November 2016 thanks to a source within the Russian company Rosoboronexport.¹³⁶

Another major defence purchase was reported on June 2015 when Brazilian company Embraer Defense & Security announced that Mali had ordered six A-29 Super Tucano combat planes.¹³⁷ An unpublished report by the BVG records that the Malian government agreed to pay CFA51.7 billion (US\$87.4 million) for the six planes, although it ended up acquiring only four Tocanos for unspecified reasons.¹³⁸ In none of the cases cited has the government publicly revealed what it has paid for the aircraft.

However, smaller purchases are routinely recorded and published by the Direction Générale des Marchés Publics et des Délégations de Service Public, DGMP-DSP (Directorate General of Public Procurement and Public Service Delegations). The website of the DGMP-DSP displays a list of public contracts issued between 1

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January 2016 and 30 September 2016. The list contains details of 36 contracts awarded by the MDAC and contains information relating to the tender process used, the value of the deals and the equipment purchased.¹³⁹

Major procurements are not made through open tender

The use of open bidding mitigates the risk of corrupt deals being made and helps ensure that the state obtains the best value for money. Yet, recent major purchases, such as the aircraft cited above, were not subject to open tender.

There have been multiple cases where the government has spent billions of CFA francs on aircraft that have not worked. Given that the country is experiencing numerous security crises and urgently needs such equipment, these deals have inevitably generated controversy and highlighted the drawbacks of closed-bidding processes. Since the contracts were awarded in opaque circumstances, and the government has not revealed the precise financial details, it is very difficult to ascertain whether the deals were made in good faith.

That said, open tenders are commonly used for small purchases. The most recent data found was the DGMP-DSP's list of contracts awarded by the MDAC in 2016, which indicates that at that time just over half of the tenders listed were awarded via an open-bidding competition. Of the 36 contracts awarded by the MDAC between 1 January 2016 and 30 September 2016:

- 20 were subject to open bidding
- 10 were subject to restricted open bidding
- 5 were concluded by direct agreement
- 1 was concluded by restricted competition.¹⁴⁰

The most expensive defence purchase on the list was for 120 4x4 pick-up vehicles, which cost just under CFA3 billion (US\$5 million).¹⁴¹ This tender was conducted via restricted open bidding. Evidence indicates that other larger contracts were awarded via unrestricted open bidding.

There is legislation to punish collusion, but enforcement is questionable

The public procurement code outlaws collusion between bidders, but this does not extend to the contracting authorities. Article 127 of the code forbids candidates or holders from: "engaging in acts of collusion between candidates to inflate the price of offers to artificial and non-competitive levels, denying the contracting authority the advantages of a free and open competition."¹⁴²

Article 128 states that entities found guilty of collusion or acts of corruption by the relevant body – Comité de Règlement des Différends (Dispute Resolution Committee) – can have their contracts confiscated.¹⁴³ Firms and individuals can also be banned from competing for public contracts for a variable period, which is determined by the seriousness of the offence committed. However, Article 8 of the Procurement Code is also problematic in the context of punishing collusion as it creates a legal loophole for defence and security contracts.¹⁴⁴ Standard procedures simply don't apply when national security interests are invoked.

Data on collusion between parties bidding for defence contracts is scarce, but there are reports in the Malian media, based on sources within the defence sector, alleging that nepotism is commonplace at the Directorate of Finance and Matériel.¹⁴⁵ They claim that defence contracts are often awarded to close associates of defence officials amid a lack of accountability for offenders. Although public officials are not referenced in the procurement code, civil servants found guilty of facilitating or participating in acts of collusion are subject to punishments in accordance with the Penal Code. These range from prison sentences of between three months and five years, as well as fines of CFA20,000-240,000 (US\$34-406).¹⁴⁶

Mali's online portal for public contracts publishes a list of the individuals or companies it has deemed ineligible to apply for public tenders.¹⁴⁷ As of July 2019, only one person appears on the list, indicating a very low degree of enforcement. Indeed, the IMF finds that penalties for collusion "are seldom or never applied" in practice.¹⁴⁸ The lack of prosecution in the case of the off-budget purchase of the presidential jet and other military vehicles in 2014 is also instructive in this context.

Nevertheless, there is evidence that officials responsible for overseeing the awarding of public contracts undergo annual training to help them regulate public tendering processes.¹⁴⁹ The comprehensiveness and regularity of the programmes undertaken suggest that officials receive training in how to identify acts of collusion.

Complaints mechanisms are in place, but often plagued with corruption

The Procurement Code outlines the mechanisms for submitting complaints relating to public tenders.¹⁵⁰ The relevant committee is required to issue its verdict within 15 days of being called upon to examine a contested award of a contract, indicating that its research is unlikely to be especially extensive or thorough. But the mechanism can offer a quick and easy way of resolving minor disputes.

Mali's online portal for public contracts contains a mechanism to make anonymous denunciations regarding

any suspicions of irregularities during the course of a procurement process.¹⁵¹ This is a quick, easy and free way of raising complaints with the ARMDS, but there is no evidence to indicate how effective or how widely used this mechanism is. Complainants can also seek recourse to judicial arbitration in line with international OHADA standards¹⁵² - Afrique du droit des affaires (Organisation for the Harmonization of Corporate Law in Africa), but only in cases where an arbitration clause expressly conforms to the necessary specifications.

However, there is strong evidence to suggest that many companies are not happy with the integrity or the efficiency of the judiciary in commercial matters. The US Department of State notes that numerous business complaints are awaiting an outcome in the courts because the dispute resolution process can take multiple years. It asserts that “the judicial system is infested by corruption leading to flawed decisions.”¹⁵³ Businesses report that irregular payments or bribes to obtain favourable decisions in court are commonly exchanged.

Good practice:

- Providing specific criteria for the kinds of purchases that potentially warrant exemption from the public procurement code, alongside a compulsory justification for why any given purchase should be exempt. Establishing detailed criteria for exemptions helps ensure that more defence purchases are subject to the scrutiny of parliament.
- Mandating an external and independent body to oversee secretive and off-budget purchases. The assigned body should have the legal power to approve or decline the government’s request to make a defence-related purchase without having to adhere either to the regulations of the public procurement code or of any other piece of legislation which addresses defence procurement. This reduces the scope for corruption as well as the likelihood of the government making costly errors when making large defence purchases.
- Publishing formal procedures for defining purchasing requirements, based on clearly identified needs that are set out in a published defence strategy. This can be supplemented by undertaking a public consultation to accurately identify the country’s security needs and to ensure that its defence strategy addresses the principal concerns of civilian populations.
- Reviewing the public procurement code to outlaw collusion on the part of the contracting authorities and to provide appropriate penalties for state officials who collude or disclose sensitive information.

RECOMMENDATIONS AND WAY FORWARD

Civilian democratic oversight of the defence sector

Corruption weakens Malian institutions crucial to providing security services. Defence and security forces hollowed-out by corruption are much less able to respond to threats such as the one posed by violent extremist groups in the North. Whilst security in Mali remains the exclusive domain of the executive, building the integrity of Malian security institutions requires increased civilian democratic oversight to pave the way for a more accountable defence and security sector. Measures to do this could include:

1. Increasing the contribution of Malian civil society to security sector governance. Drawing from the consultation process provided by the Malian Security Sector Reform national strategy, civil society organisations such as the CSO Forum for Defence and Security could work to increase the capacity of local actors focused on security sector governance. This could include building a pool of independent experts prepared to undertake policy-relevant research to provide policy inputs and to monitor ongoing reform.
2. Ensuring that the Assemblée nationale draws from its constitutional prerogatives to effectively fulfil its role of oversight and control of the executive branch and its security agencies. To this end, the legislative branch must strengthen the capacities of the members of the Defence and Security Committee, with regards to: (1) examining financial details of off-budget defence purchases; and (2) scrutinizing and vetting candidates selected by the Council of Ministers and the executive for senior defence and security posts. The committee could also take advantage of external expertise, including from civil society. In addition, the Assemblée nationale must make sufficient resources available, both financial and in terms of staffing, to enable the Defence and Security Committee to carry out its duties.

Budget transparency and auditing

The legislature needs access to detailed information on defence budgets, income, and expenditure in order to fulfil the oversight functions enshrined in the Constitution. To harness the power of the Assemblée nationale to exercise its oversight role, the government must act to ensure that internal and external audit mechanisms function effectively, and that such audit reports are shared with the legislative

branch. To this end:

3. The government must publish an annual defence budget that provides a detailed breakdown of expenditure across functions including: training, salaries, acquisitions, disposal of assets, maintenance and personnel expenditure.
4. The government must ensure that all ministries consistently provide external audit bodies with comprehensive and detailed financial accounts on time. The reports of external audits should be presented to parliament and published in a timely and regular manner to enable the legislature and civil society to scrutinise the actions of the executive.
5. The Assemblée nationale Defence and Security Committee must routinely address official requests to the executive branch, with regards to accessing to detailed defence budget and internal audit reports in order to perform its oversight role. Moreover, the Committee should consistently resort to expert witnesses from defence agencies and institutions when scrutinizing defence budgets and audit reports.

Personnel, promotion and chains of payment

To ensure that the resources allocated to the Malian security institutions are effectively employed to address the current security crisis, the management of both human resources and assets needs to be improved. To this end, the government should work to develop more effective systems to manage human resources and to offer a greater degree of transparency in terms of salary bands and job specifications. For instance:

6. Each of the defence and security institutions should disclose the number of staff they employ and their relevant ranks to parliament and the public. Salary bands and eligibility criteria for all ranks should be published, allowing for better oversight and ultimately resulting in the development of defence policies that reflect the needs and limitations faced by the security institutions.

Procurement

Similarly, the use of financial resources would benefit from improving the procurement system. In view of this, the numerous loopholes and gaps in the public procurement

code should be tightened or eliminated, and detailed information about national strategy for defence purchases must be provided. Therefore:

7. The government must put in place and publish formal procedures for defining purchasing requirements, based on clearly identified needs that are set out in a published defence strategy.
8. The Assemblée nationale must collaborate with the Ministry of Defence to provide more specific criteria for the kinds of purchases that potentially warrant exemption from the public procurement code under Article 8. The government should assign responsibility to an external, independent body, such as the BVG or the ARMDS, to oversee secretive, off-budget purchases. This external institution should be tasked with examining whether the proposed purchase qualifies for an Article 8 exemption against the criteria outlined by the Ministry of Defence. Crucially, the assigned body should have the legal power to approve or decline the government's request to make a defence-related purchase without having to adhere to the regulations of the public procurement code.

Changing institutional culture

As perceived corruption significantly contributes to an overall lack of public trust in the Malian government, building confidence between populations and defence and security forces is critical. Restoring that trust requires a concerted effort to change narratives around the integrity of the state. To this end, the government and the various defence and security institutions must act to eradicate the culture of impunity and develop the integrity and professionalism of the army, police and gendarmerie, by:

9. Updating codes of conduct for the relevant security forces to make it explicitly clear that all forms of corrupt activity are prohibited. The revised codes should clearly outline the possible sanctions for officers found guilty of corruption, in order to deter would-be transgressors.
10. The Assemblée nationale must collaborate with the Ministry of Defence in order to introduce specific and robust legal protections for whistle-blowers to ensure that the appropriate mechanisms for anonymously reporting suspected wrongdoing function properly.

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