
Kluwer Mediation Blog

Timing of Mediation: The Mali Example

Kenny Aina (Aina Blankson LP) · Friday, April 20th, 2012

The recent political crises in Mali created quite a scare in Africa which was working hard to position itself as a peaceful and stable haven for investments and democratic government. The reasons for the coup and the resulting circumstances are now public knowledge. One striking thing though, is the role of internationally led mediation in the resolution of national crises. It is worth noting that this method of resolution of national conflicts is not often encouraged as each country is a sovereign state and intervention from outside parties must be limited to the barest. However, in today's borderless world, the world can no longer stand by when a civil crisis in a country reaches the point where it becomes the obligation of not just its neighbours but all to 'intervene' in order to forestall a total breakdown of law and order or an undesired precedent for anarchy. It stands to reason therefore that when the military took over the realms of power in Mali and generated a lot of heat in the polity which was in the process of constitutional elections not a few nerves were raised. This situation was not helped as the Touareg rebels who had engaged in continued guerrilla warfare with the central government began claiming several key cities including the popular Timbuktu. Furthermore, other Islamist groups from the deserts began taking up cities and the country, once a model of democracy in Africa, seemed to have fallen into anarchy. The spate of insecurity occasioned by this course of events was quite tragic as looting was reported all over the country and the citizens lived in a state of constant terror and violence.

In order to curb this scenario and restore normalcy to this once peaceful nation, the Economic Community of West African States (ECOWAS) embarked on a mediatory role towards reaching an amicable resolution of the crisis. Their activities and the subsequent abatement of this crisis is a lesson in international mediation. First, it was important that the mediator was one with an impeccable reputation and a neutral party in the crisis. This point becomes clear when it is considered that though Burkina Faso which shares a border with Mali seemed one of the most affected by the crisis but it sought to direct its efforts at resolution through the ECOWAS. This is because a unilateral attempt at resolution may have been looked upon suspiciously by the junta or the sacked president who were the key actors in the process.

Another important point was the venue of mediation. Mali which was the epicentre of the crisis was clearly not conducive as there would have been too much pressure and distraction to ensure a successful process. Also the security of the mediators was not assured in Mali and was therefore a welcome move to have the process conducted in Burkina Faso. The mediation also showed the place of flexibility in a mediation proceeding as the result reached was one that created a third way approach to the solution i.e. the major players, the junta and the president agreed to step down for the Speaker of the National Assembly to take over as interim head until elections were held as

earlier planned. A departure from private mediation occurs in public mediation which needs to be highlighted. While in private mediation, confidentiality of the agreement is a virtue in public mediation, as in the Malian case, the outcome of the mediation was best to be in the public view in order to sustain pressure on the parties towards obedience but more, in recognition of the wider interests associated with such national disputes.

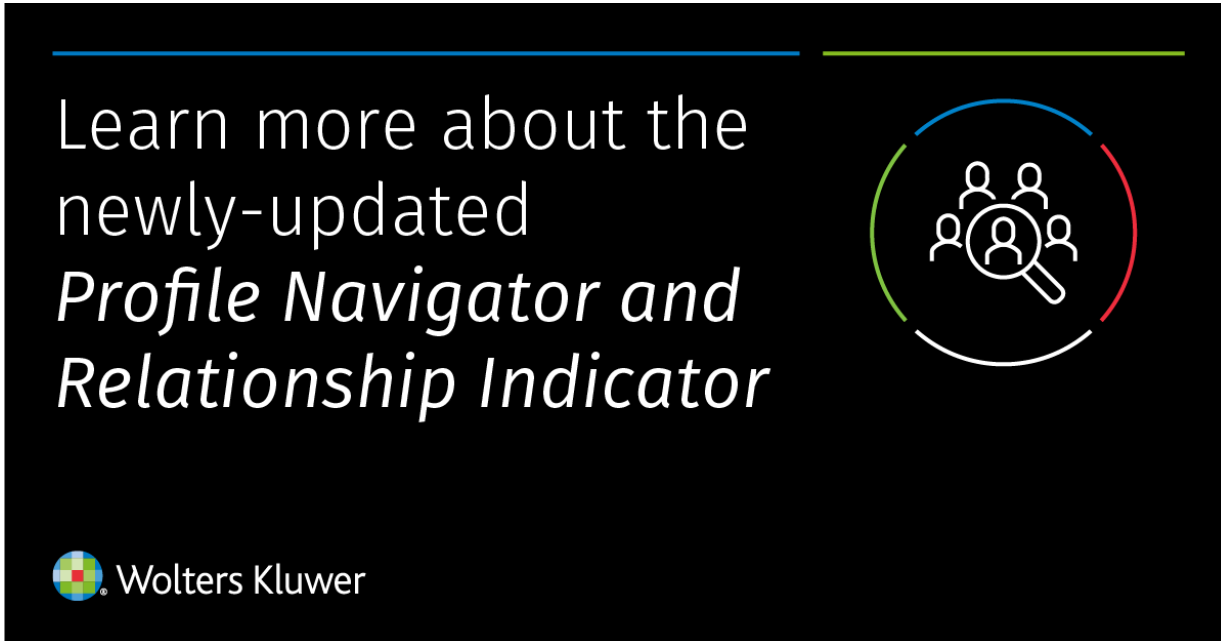
The return of peace and stability in Mali cannot and is not immediate but this successful mediation process has clearly charted a course toward that aim and the support of all parties, local, regional and international pressure is required to bring it to fruition. The Chinese Foreign Affairs spokesperson, Liu Weimin put it quite aptly when he called on ‘parties in Mali to proceed from the fundamental interests of the nation and its people, to properly solve the political divergences through dialogue and negotiations, and safeguard its national stability and unity’. In all, timing is everything in negotiations especially mediation. Being too late as we experienced in Rwanda and dragging on in talk shows and showmanship by China and Russia as we are witnessing in Syria is never in the best interest of the citizens or the process. Was Kofi Annan not a little too late?

To make sure you do not miss out on regular updates from the Kluwer Mediation Blog, please [subscribe here](#).


Profile Navigator and Relationship Indicator


Includes 7,300+ profiles of arbitrators, expert witnesses, counsels & 13,500+ relationships to uncover potential conflicts of interest.

Learn how **Kluwer Arbitration** can support you.



Learn more about the newly-updated *Profile Navigator and Relationship Indicator*



 Wolters Kluwer

This entry was posted on Friday, April 20th, 2012 at 12:43 pm and is filed under [Mediation Practice](#). You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. You can skip to the end and leave a response. Pinging is currently not allowed.