Report of the Independent Observer

Observations on the Implementation of the Agreement on Peace and Reconciliation in Mali, Emanating from the Algiers Process

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THE
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This report presents the observations of The Carter Center as the Independent Observer of the implementation of the Agreement on Peace and Reconciliation in Mali, emanating from the Algiers Process, for the period from January to March 2020.

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ACRONYMS AND TERMINOLOGY

ACRONYM[3]	DEFINITION
CMA	Coordination of Azawad Movements
CN-DDR	National Commission for Disarmament, Demobilization, and Reintegration
CSA	Monitoring Committee
CSMAK	Security Coordination of Azawad Movements in Kidal
CTS	Technical Security Committee
DDR	Disarmament, Demobilization, and Reintegration
DNI	National Inclusive Dialogue
EMOV	Joint Observation and Verification Team
FAMa	Armed Forces of Mali
FDS	National defense and security forces of Mali
MINUSMA	United Nations Multidimensional Integrated Stabilization Mission in Mali
MOC	Operational Coordination Mechanisms

TERMINOLOGY	DEFINITION
International Mediation	Members of the international community referred to in Article 58 of the Agreement for Peace and Reconciliation in Mali, Emanating from the Algiers Process
Signatory Movements	Coordination of Azawad Movements and the Platform of Movements – Algiers Declaration, June 14, 2014
Malian Parties	Government of Mali and the signatory movements
Platform	Platform of Movements – Algiers Declaration, June 14, 2014

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EXECUTIVE SUMMARY

In this report, the Independent Observer draws the attention of the Malian Parties (Parties), the public, and the international community to two themes slowing implementation of the Agreement on Peace and Reconciliation in Mali, emanating from the Algiers Process: (1) the recurring issue of administrative and electoral redistricting, which has led to the under-representation of northern regions in the legislative elections in March and April 2020; and (2) the persistent inconsistencies and disagreements that risk undermining the deployment of the reconstituted army.

These two themes illustrate the Malian Parties' divergent approaches to the agreement. The government's priority appears to be Title III (defense and security issues), namely disarming the Signatory Movements (Movements) and re-establishing the national army's presence in the north, which, for the government, represents a re-imposition of national authority over the area at the center of the 2012 rebellion. The Movements, in contrast, prioritize Title II (political and institutional reforms), specifically decentralization and power-sharing through the increased representation of the northerners in national institutions.

The recurring, critical issue of redistricting has not received sufficient attention from the parties and the international guarantors of the agreement. The redistricting issue re-emerges before each electoral cycle, repeatedly threatening the holding of elections. This lack of attention undermines implementation of the agreement and perpetuates the problem of under-representation in government that contributed to the outbreak of the 2012 rebellion. **Redistricting is therefore not a "technical" issue, as it is often labeled, but a key element in the politico-institutional reforms prescribed by the agreement and, thus, essential to building confidence among the parties and resolving an issue at the heart of the conflict.**

The conditions under which the 2020 legislative elections are taking place represent a blow to the decentralization process which, in turn, is key to creating the democratic legitimacy of the National Assembly. In 2018, the National Assembly gave impetus to decentralization by granting Taoudéni and Ménaka the status of *collectivités territoriales*. Yet they do not fully enjoy their status. Because redistricting within the regions has not occurred, they are not recognized as *collectivités territoriales* in the 2020 elections, depriving them of the representation provided for by Malian law and anticipated by the agreement. Since 2015, the Monitoring Committee (CSA) has recommended that the parties consult local populations and leaders and that the government adopt or revise laws to put into practice the redistricting reforms stipulated by the agreement.[4] More than five years later, this has not occurred. **The exclusion of the *collectivités territoriales* of Taoudéni and Ménaka is a political choice, because new districting boundaries could have been established despite the security situation in central and northern Mali.**

The recent redeployment of the first integrated unites of the reconstituted army to Kidal, Timbuktu, Gao, and Ménaka represents progress in the implementation process. Yet this development does not justify the six-month delay between the integration of the Movements' ex-combatants into the national defense and security forces (FDS) and their deployment, a period marked by protracted

negotiations among the parties. **To date, 1,000 of the 1,325 integrated soldiers have deployed, but, mostly because of the parties' disagreement about the integrated soldiers' command structure, none of the reconstituted units are fully operational,** according to the latest information available.[5] Critical steps must be taken before the reconstituted army reaches the target of 3,000 soldiers on the ground by June 2020 and achieves full operational capacity.[6] Furthermore, **the deployment of the units recently integrated into the Malian Armed Forces (FAMa) must be seen in light of the simultaneous and contradictory apparent expansion of the territorial reach of the Coordination of Azawad Movements (CMA) in northern Mali.**[7]

In its previous reports, the Independent Observer highlighted the significant gap between the attention devoted to political solutions and the attention given to security challenges. Indeed, the lack of mediation and engagement by the international guarantors and the Malian Parties on redistricting and legislative elections contrasts sharply with the significant attention paid to the deployment of the integrated forces. **The lack of progress on political reform could jeopardize the tentative and fragile progress in the security sector, particularly if the political root causes of the Malian conflict continue to be neglected.** Without a more balanced approach, implementation will most likely remain stalled, or fail altogether.

The Independent Observer notes that COVID-19 led to the cancellation of the March 23 meeting of the Monitoring Committee as well as anti-COVID measures taken by the Malian government. The Independent Observer will continue to follow the impact of COVID-19 on the implementation of the agreement.

CONTEXT

Before moving forward, it is important to carefully define redistricting terminology. In Mali, territorial organization refers to the establishment of overlapping governance structures: on the one hand, there are regions, which are administrative entities, and on the other, *collectivités territoriales*. The regions are further divided into *cercles* and municipalities. In legal terms, one law establishes the region, whose leaders are appointed, while another law creates *collectivités territoriales*, whose leaders are elected. The Organic Law and the Electoral Law establish *cercles* and municipalities as electoral districts.

The regions of Taoudéni and Ménaka were established according to the legal process, but their *collectivités territoriales* are not yet operational because within the new regions there has been no administrative or electoral redistricting, meaning that voting districts have not been established. A secondary factor is that they at times lack the administrative buildings and personnel to conduct business. For these reasons, the Taoudéni and Ménaka *collectivités territoriales* cannot elect the national-level representatives they are entitled to.

On the Malian political scene and during the Inclusive National Dialogue (DNI), which concluded in December 2019, a debate arose: One side favored holding legislative elections immediately, given the expiration on May 2 of the National Assembly's already-extended mandate; the other insisted that the regions of Taoudéni and Ménaka should, as per Malian law and in the spirit of Article 6 of the agreement, participate fully in the elections and have the opportunity to elect their rightful representatives as *collectivités territoriales*.[8]

The DNI recommended that the elections be held as soon as possible to enable the new legislative term to begin by May 2. The DNI also committed to undertake in 2020 an administrative and electoral redistricting process in Mali and the diaspora. Although the CMA participated in the DNI, it did not fully agree with the DNI's recommendations and registered its concerns about holding the elections so soon. On Jan. 26, it issued a statement refusing to participate in the legislative elections. The CMA called for expediting the redistricting process and highlighted the repeated postponement of political and institutional reforms called for in the agreement.

The CMA contributed to the first round of elections, held on March 29.[9] **Nevertheless, the CMA's involvement and the holding of the elections mostly without violence should not be the sole criterion used to assess the elections. As stipulated in Article 6, "enabling wider participation of these [northern] populations within national institutions" is another important criterion.** The government and other actors have repeated longstanding promises of reforms to address under-representation.[10]

While the context for redistricting is principally political and legal, the context for redeployment is a continually evolving security situation in northern and central Mali.[11] Both the Independent Observer and the United Nations' Group of Experts recently noted that the CMA continues to expand its security operation *Acharouchou* northeast of Timbuktu toward Gourma and Ménaka.[12] The security operation portends aspirations of political and territorial control of these areas. The

apparent expansion of the CMA's territorial reach, which is taking place alongside the redeployment of the first integrated Malian Armed Forces (FAMa) units, exemplifies the fragile and contradictory disarmament, demobilization, and reintegration (DDR) process, as well as the ad hoc nature of the entire security sector. These inconsistencies are due, in part, to the drawn-out implementation process, which has prevented progress toward a coordinated, nationwide system of security and defense.

OBSERVATIONS

Territorial Reorganization

A. Fundamental Texts

On issues relating to institutional reform and territorial reorganization, the agreement's key provisions are:

- "[T]he representation of the populations in the National Assembly shall be enhanced by increasing the number of electoral constituencies and/or other appropriate measures." (Article 6)
- "The Parties shall put in place an institutional architecture enabling the populations of the North to manage their own affairs in a spirit of participative citizenship, based on the principle of free administration and enabling wider representation of these populations in national institutions." (Article 6)
- "Revise electoral legislation to enable local, regional and national elections to be held … in order to put in place the organs foreseen in the agreement." (Annex I)
- "Hold elections at regional and local levels for the bodies concerned by the provisions of the agreement." (Annex I)
- The "adoption of the legislative and regulatory texts, including constitutional texts, enabling a new institutional and political, security and defense … framework to be established and rendered operational." (Annex I[13])

To achieve these objectives, the following legal texts are likewise important:

- The Constitution of the Republic of Mali, Article 63, establishes that an organic law determines the number of deputies in the National Assembly.
- Article 1 of the Organic Law of March 2002 sets the number of deputies at 147, distributed among the *cercles* and the District of Bamako, on the basis of one deputy per 60,000 inhabitants.[14]
- Article 158 of the Electoral Law stipulates that: "for the election of deputies of the National Assembly, the electoral districts are constituted by the *cercles* and municipalities of the District of Bamako."[15]

The Malian Parties, primarily the government, have had ample time to revise the organic and electoral laws. This revision would have established the new districts and thus avoided the current situation, which deprives the newly created *collectivités territoriales* in Ménaka and Taoudéni, as well as the *cercles* of Al-Moustarat (Gao region) and Achibogho (Kidal region), of their national-

level representation. By continuing to exclude part of the population from the country's political life, the current legislative elections run counter to the objectives of the agreement.

The Independent Observer reiterates its position, expressed in its report in January 2020, that, apart from the establishment of the Senate, all political and institutional reforms provided for in the agreement could be implemented relatively quickly by revising or reinterpreting existing laws or adopting new laws.

B. Recurring Debate on Administrative and Electoral Redistricting

Since 2015, redistricting has been the subject of debate within the CSA subcommittee on political and institutional issues.[16] **In 2018, the issue contributed to the government's postponement of regional and local elections. In order to extend the National Assembly's term, the government promised, after discussion with the Signatory Movements, to revise the relevant laws.**[17] Consultations on redistricting were thus included in the March 2018 Roadmap.[18] Because administrative and electoral redistricting was one of the key provisions of the agreement, the government launched regional consultations in November 2018 based on a redistricting plan prepared by the Ministry of Territorial Administration and Decentralization. The government, however, abandoned the initiative amidst significant opposition, including demonstrations, particularly in the regions of Gao and Mopti. The redistricting issue was again a central theme in the debates of the DNI and in the 2020 legislative elections.

The same laws establishing the regions of Taoudéni and Ménaka endow them with *cercles,* which, according to the organic and electoral laws, constitute electoral districts.[19] The laws also subdivide the respective regions into municipalities.[20] Municipalities are the fundamental units in the electoral process. According to Article 42 of the Electoral Law, voter lists are established at the municipal level. Despite their legal status, the majority of the *cercles* in Taoudéni and Ménaka, and the municipalities that make up these *cercles*, are not yet operational. They have no offices, personnel, or other means necessary to carry out their mandate. As long as these *cercles* and municipalities are not operational and – just as importantly – as long as villages and towns have not been assigned to specific *cercles* and municipalities for voting purposes, the new regions created as *collectivités territoriales* will not be able to elect representatives at the national level as authorized by the Organic Law. Four *cercles* (comprised of 21 municipalities) in Ménaka and six *cercles* (comprised of 30 municipalities) in Taoudéni will not have representation. The *cercles* in Al-Moustarat and Achibogho also will not have their respective representatives. **This, together with the government's unfulfilled promises to revise the necessary laws, helps explain the Movements' distrust of the government's intentions in further postponing redistricting.**

C. Future of Administrative and Electoral Redistricting

The government insists that the redistricting process will be carried out in 2020 in an inclusive manner and that the organic and electoral laws will be revised. Upon completion of this process, the government would, as the prime minister pledged in his March 21 letter to the CMA, organize by-

elections by the end of the year.[21] At the Feb. 27 CSA meeting, the government announced the imminent start of discussions with the Movements on relaunching the redistricting process. As of the end of March, however, no meeting had taken place. This inaction reinforces the Movements' skepticism, as indicated by the CMA's request in a March 26 letter to the leader of the International Mediation for the "international community's support" in resolving the redistricting issue.[22]

Even if, at first glance, the government's plan seems feasible, the Independent Observer recalls that the laws on decentralization, namely the Code of *Collectivités Territoriales* and the Law on Free Administration adopted in 2017 by the National Assembly, were immediately challenged by the Signatory Movements.[23] In the March 2018 Roadmap, the parties agreed to revise these texts. Yet two years later, this joint revision has not occurred, and the government has not submitted draft legislation to the National Assembly. This history of lack of action suggests it's unlikely that there will be a rapid revision of the organic and electoral laws.

Since 2015, the government has shown little determination to revise the organic and electoral laws to advance decentralization. In addition to this lack of will, redistricting faces other challenges, such as the weak presence of the state in Taoudéni and Ménaka, the lack of means to operationalize so many new districts, and the increased insecurity and intercommunal conflicts in the northern and central regions of the country.

The Movements are also responsible for the failure to operationalize the *collectivités territoriales*. They took six months to appoint Interim Authorities for the *cercles*, a process which still remains incomplete.[24] Interim Authorities in 51 municipalities have yet to be appointed.[25] In addition, the Movements have set a long list of conditions and legal changes needed to operationalize the *collectivités territoriales*. They seek, in particular, to reduce the population-deputy ratio from 60,000-1 to 30,000-1 and to take into account territorial breadth when defining districts. They also want refugees and other internally displaced persons to be counted in the redistricting process and therefore have called for their rapid return.

Another major challenge to redistricting, faced both by the government and the Movements, is that of finding common ground between the southern and northern populations and, within the north, among various communities. Some southern regions are concerned that they would be disadvantaged by redistricting in the north. As the 2018 demonstrations indicate, if local populations feel disserved in terms of representation, socioeconomic development, and access to basic social services, they may express their discontent, at times violently.[26]

In order to support the implementation of Title II of the agreement, in particular Article 6, **the Independent Observer recommends that the Monitoring Committee (CSA) address administrative and electoral redistricting, without which a lasting resolution of this recurring issue seems unlikely.**

Redeployment of the Reconstituted Army

A. Fundamental Texts

Regarding the creation and redeployment of the reconstituted army, the agreement provides for:

- The Movements' submission to the Technical Security Committee (CTS) of certified lists of their combatants. The CTS would then determine the combatants eligible for DDR. (Annex II)
- Cantonment. (Annex II)
- Disarmament followed by integration into the FDS or the demobilization of combatants and their reintegration into civilian life. (Annex II)
- Gradual redeployment of the reconstituted army, "led by the Operational Coordination Mechanism (MOC), with the support of MINUSMA [United Nations Multidimensional Integrated Stabilization Mission in Mali]." (Article 21)
- "The redeployed force shall include a substantial number of persons from the Northern Regions, including in positions of command, in order to facilitate the return of confidence and of security in these regions." (Article 22)

The parties have not followed these procedures and have instead developed alternative steps. These alternatives have, however, created inconsistencies and contradictions that impact redeployment and the DDR process generally.

B. Divergent Approaches to DDR and the Reform of the Defense and Security System

In signing the agreement, the Malian Parties undertook a shared commitment to disarm ex-combatants from the Movements and integrate those who wish (and are deemed fit) into the reconstituted national army. Yet in implementing this commitment, significant differences emerged. The government prioritizes disarmament, while the Movements link progress in the security arena to political and institutional reforms. Thus, the implementation process has become a series of calculations and maneuvers by the parties based on their respective aims. For instance, in early 2019 the government moved rapidly, in the face of some resistance from the Movements, to complete the reintegration of former FAMa soldiers who had defected during the rebellion (approximately 660 in total). **The Movements' leaders, for their part, are generally reluctant to accept a clear severing of command and control over their combatants who have been integrated into the FDS.** Another factor is the parties' profoundly different approaches to the mission, size, and needs of the reconstituted army.

Faced with difficulties in starting the general DDR process as provided for in the agreement, at the government's prompting and with pressure from the international community, in late 2018 the Malian Parties resorted to the exceptional step of accelerated DDR-Integration. This process involved training and integrating Movement combatants from the Operational Coordination

Mechanism (MOC), thus theoretically allowing the rapid integration of 1,840 combatants into the reconstituted national defense and security forces.

But there has been significant difficulty in advancing accelerated DDR over the past 18 months. The principal reason for this is the lack of fundamental agreement on the reform of the defense and security system. The Movements constantly refer to their disappointing experience with the implementation of past agreements and are particularly concerned that once disarmament is complete, the other commitments in the agreement will be forgotten. Beyond integration itself, they seek a more inclusive security and defense system that guarantees them a role in securing the northern region.

C. Inconsistencies in the Redeployment Process

Against the backdrop of these divergent approaches, the procedures and mechanisms of redeployment have become confused, generating inconsistencies and frictions that further slow implementation. The straying from the procedures stipulated in the agreement has created a confusion of roles among such bodies as the Technical Security Committee (CTS), the National Commission for Disarmament, Demobilization, and Reintegration (CN-DDR), the Coordination of the MOC and the general staff of the Malian army (FAMa).

- The CTS did not receive and certify the Signatory Movements' lists of combatants eligible for DDR. This role was taken over by the CN-DDR, and the lists were not certified by the Movements. Thus, the lists were never officially closed. As a consequence, the CN-DDR must return to the Movements for the certification of each new wave of combatants in the accelerated DDR process.[27]

- The MOC has not played its role of securing the cantonment sites, largely because this activity, while foreseen in the agreement, has been abandoned by the parties or replaced by other procedures. The combatants assigned to the MOC were taken up by the CN-DDR and integrated into the national armed forces through the accelerated DDR process, but MOC commanders remain in place. While possibly more efficient, this process resulted in the emptying out of troops in the MOC, calling into question its continued existence. Neither the parties nor the International Mediation have resolved the ambiguous status of the MOC commanders. To recall, under the terms of Article 21, the redeployment of the reconstituted army was to be "led by the MOC."[28]

These inconsistencies impacted the redeployment of the reconstituted units. The plan and timetable for the redeployment of the reconstituted forces was developed not by the MOC as foreseen by Article 21 and Annex II, but by the CTS in coordination with the FAMa general staff. The redeployment itself is led by the general staff, with support from MINUSMA. The FAMa deputy chief of staff in charge of operations directed the deployment of the initial combatants for the integrated unit in Kidal. As redeployment got underway, however, the parties disagreed over the identification of the men presenting themselves as members of the unit. This issue, in turn, threatened the deployment because of the possibility that a key principle – that one-third of each

new integrated unit would be made up of combatants from the respective parties – would not be respected. The CTS finally assigned the task of verifying the identities to the MOC commanders and the Joint Observation and Verification Team (EMOV). In short, at a critical moment, redeployment depended on an actor nominally excluded from the process, the MOC command structure.

The MOC general staff has expressed its frustrations, both during and outside CTS meetings, about its lack of involvement in the redeployment process. **The CTS recommended integrating the MOC general staff into the FDS.[29] This recommendation has not been implemented to date, largely because of the reluctance of the Malian army leadership.**

D. Problems During the Redeployment Process

In the period between the integration of the 1,325 ex-Movement soldiers in the fall of 2019 and the deployment of the first integrated units in February 2020, virtually every step involved protracted negotiations by the parties. At a fundamental level, these negotiations stemmed from the parties' disagreement about the Movements' commanders' continuing authority over integrated combatants. These negotiations contributed to the six-month delay between integration and redeployment, even as insecurity continued to grow and terrorist groups gained territory. Among the problems were:

- **Delays in the Integration Process and the Attrition of Already-Integrated Soldiers**

  The necessary administrative texts formalizing the integration of the ex-combatants were not adopted by the government until December 2019, four months after their training and entry into the FDS. More concerning, the FAMa immediately granted the ex-combatants, who completed their training between September and November, 15 days leave before finally calling them back in mid-December. Meanwhile, 20 of those who tried to return home by their own means were kidnapped, and four were detained in Burkina Faso. The Independent Observer takes note of the government's evident reluctance to rapidly advance redeployment.

- **Myriad Disagreements among the Parties**

  Disagreement on the Locations of Redeployment

  After integration and prior to redeployment, there were lengthy discussions among the parties about where to redeploy the integrated combatants. The issue, however, had already been settled by the CTS in November 2019: The integrated combatants were to be deployed to their region of origin.[30] Yet because the FAMa believes the integrated units fall fully under its command, it opted to deploy the combatants to various regions of the country, without involving the Movements and contrary to the CTS' decision. The Movements' leadership strongly resisted this step, which led the general staff to re-open discussions on the redeployment plan.[31]

Disagreements on the Redeployment Plan and Number of Soldiers Deployed

The government's initial redeployment plan did not include Kidal. Its proposal seemed at odds with the government's stated priority of returning national forces to that city. Once the redeployment plan was adopted in September 2019, the parties disagreed about the appropriate site in Kidal for the integrated unit's camp. That quarrel was followed by another, about whether the parties were respecting the principle of equal representation in the new units.[32]

- **Issues Related to the Lack of Government Resources**

The government points to a lack of funds to explain the delay of redeployment, citing the absence of individual equipment for combatants (sleeping bags, food rations). Of the 60 vehicles planned for transporting the Kidal battalion, only 40 were made available. The government also raised the problem of lack of fuel. MINUSMA has committed to provide fuel, as well as rations, for three months.

One of the main objectives of the agreement is the return of the Malian army to the north. Almost five years after the signing of the agreement, the Independent Observer can only conclude that the early phase of the redeployment operation was not well planned or executed by the government.

E. Current Status of the Redeployment of the Reconstituted Army

- **State of Integration for the 1,840 soldiers in the First Wave of Accelerated DDR**

In the accelerated DDR process, the parties set the initial objective of integrating 1,840 ex-movement combatants into the FDS. To date, 1,325 have been integrated. To make up the gap, the CTS proposed in its March 11 meeting that 460 combatants join a catch-up process (*rattrapage*).

To add 460 combatants and thus complete the first wave of accelerated DDR, the CTS recommended that the Movements submit new lists of proposed soldiers. The CTS first set the deadline of March 6, then March 23. **To date, the Movements have not presented the lists.**

The Independent Observer wishes to point out that, from the start of registering combatants and accelerated DDR, there has been a real problem regarding reliable figures of combatants. The Independent Observer regularly receives different figures.

- **Redeployment of the 1,325 Integrated Soldiers**

Although 1,380 combatants have been deemed fit for integration by the CN-DDR and the CTS, the figure presently given is that 1,325 combatants are ready for deployment. During its Jan. 24, 2020, extraordinary meeting, the CTS adopted a consensual redeployment plan providing for: on Feb. 1, the establishment of a battalion of 420 soldiers in Kidal; on Feb. 25, the redeployment of the Gao battalion (420); on March 15, the deployment of the

Timbuktu battalion (398); and on March 30, the deployment of the company in Ménaka (120).

As of mid-March, Kidal had received two integrated companies totaling 240 soldiers; Gao had received 347; Timbuktu had received 328; and Ménaka had received 85. In total, 1,000 combatants have been deployed.[33] The FAMa deployed the company to Ménaka, initially without the knowledge of the CTS. The verification of the composition of the deployments (to ensure that the principle of one-third of each unit per party is followed) has not taken place because the EMOV members from the Movements, not having received their salaries in several months, have refused to undertake that task.

Obviously, there is a gap between the 1,325 integrated combatants and the 1,000 currently deployed in the various camps. The parties offer different explanations for these absentees, who are in addition to the 460 catch-up combatants mentioned above. Further, the parties disagree about the number of overall combatant spots to be filled, as well as about the categories and procedures of the catch-up (*rattrapage*) process. Among the potential categories are absent soldiers, soldiers held by terrorists or in Burkina Faso, and soldiers gathered and awaiting deployment.[34]

In sum, a number of difficulties – among them the replacement of absent soldiers and delays in verifying the implementation of the principle of one-third per unit per party – lay in the path of completing fully staffed and operational redeployed integrated units.

F. Potential Obstacles to the Redeployment of the Reconstituted Army

The Independent Observer raises below a number of larger, thematic obstacles to redeployment and the full operational capacity of the integrated units:

- **Lack of Clarity about the Role and Responsibilities of the Redeployed Units**

  The CTS recommended that the reconstituted units redeployed to Kidal, Gao, Timbuktu, and Ménaka continue the missions of the MOC, including securing the Interim Authorities. The Independent Observer notes, however, that these units are being redeployed in places where multiple armed units already carry out virtually the same missions. In Kidal, the CMA is responsible for security via the Security Coordination of Azawad Movements in Kidal (CSMAK). During the prime minister's visit to Kidal on March 4, the reconstituted unit did not contribute to his security detail; the prime minister visited them in their camp. **The integrated unit is not currently involved in any security operations in Kidal.** Likewise, in Gao and Timbuktu, the relationship between the integrated units and the FAMa already on the ground remains somewhat ambiguous. **The Independent Observer recommends that, under the leadership of the CSA and within the framework of the CTS, the specific role of the redeployed integrated units vis-à-vis other forces be clarified.**[35]

- **Struggles Over the Command Structure of the Redeployed Units**

  Following the CTS' recommendation, in January 2020 the Malian Parties agreed that the command of the integrated units would be shared according to the formula of one-third per

party (thus, the command structure in Gao would be held by recently integrated FAMa soldiers formerly from the CMA; in Timbuktu by recently integrated FAMa soldiers from the Platform, and in Kidal by FAMa soldiers).[36] As seen by the bitter debate in the CTS on March 11, **the issue of the division of command posts in the reconstituted army is critical and could block the next steps in the accelerated DDR process.** The FAMa general staff now rejects the application of the one-third principle to the command of the redeployed integrated units. The Movements insist on holding to it. **So long as the command structure remains unresolved, the recently redeployed integrated units are effectively not fully operational. The Independent Observer recommends that the CSA resolve the division of command within the integrated units, as well as the reconstituted army as a whole, and that the president of the republic support and enforce the CSA's decision.**

- **Ambiguity Surrounding the Future of the MOC**

  Currently, the redeployed integrated units have two missions. They are both integrated into the FAMa and assigned to ensure the missions of the MOC. The CTS recommended that the MOC command be integrated into the FDS.[37] In addition, the future of the MOC itself needs to be resolved, in order to avoid having two parallel forces with competing missions operating in the same area.

- **Transition to 3,000 Integrated Combatants**

  The United Nations Security Council, in Resolution 2480 (June 2019), recommends that the parties resolve, before June 2020, the issue of the training, integration, and redeployment of at least 3,000 members of the signatory armed groups. The January 2020 summit in Pau, France, set the same objective. Despite the difficulties with accelerated DDR, the president of the CN-DDR attempted to launch, beginning in March, an operation to simultaneously integrate the 460 catch-up combatants for the first wave along with a new wave of 1,160 combatants, which would put them near the objective of 3,000 troops.[38]

  The parties hold starkly different views of how to conduct the two waves. The Movements insist that the first wave of 1,840 be completed entirely before undertaking the integration of the second wave of 1,160 soldiers. Absent an agreement on this issue, the Movements resist presenting their lists of combatants for both processes. In addition, beyond their refusal to carry out the two operations simultaneously, the Movements feel that, with this second wave of accelerated DDR, the process has exceeded its mandate. The Movements insist on reintroducing unresolved disagreements over the role of northerners in the new security and defense forces, as well as about the mission, size, and needs of those forces.

CONCLUSION

In this report, the Independent Observer illustrates the relative priority given to security issues over political and institutional reforms, and the risks that this approach poses for the full implementation of the agreement. During the period covered by this report, the Independent Observer found that the CTS was the principal focal point of the implementation process. Even with such intense attention to security issues, the difficulties described in this report highlight the fragility of the process of deploying the integrated troops to the north and the potential obstacles to come. They likewise raise questions about the Malian Parties' determination to integrate Movement combatants and establish the reconstituted army, even as Mali faces a multifaceted security crisis.

The parties' and the international community's attention to the redeployment of the integrated units to the north contrasts with the relative lack of effort on territorial reorganization. The creation of Taoudéni and Ménaka as *collectivités territoriales* represents a step toward the decentralization promised in the agreement. Nevertheless, the full participation of the two regions in national politics, particularly through the completion of administrative and electoral redistricting, has been repeatedly postponed. Despite the importance that the agreement places on the increased representation of northerners, the parties and international guarantors have not committed to find a lasting resolution to the recurring flashpoint of redistricting.

In summary, the strong focus on DDR and security, at the apparent expense of fulfilling political decentralization commitments, neglects the fundamental political aspects of the 2012 rebellion. It undercuts implementation and, if continued, threatens to undermine sustainable peace in Mali.

NOTES

[1] Based in Washington, D.C.
[2] Based in Brazil.
[3] Some acronyms are listed according to the common French usage.
[4] See, the section on "Territorial Reorganization" and *Chronogramme de mise en œuvre des activités relatives au Sous-comité chargé des questions politiques et institutionnelles du* CSA, October 2015.
[5] See, the section on "Redeployment of the Reconstituted Army." Note, however, that of the 1,840 integrated combatants targeted in the first wave of accelerated DDR, 460 are absent or will need to be replaced.
[6] See, the section on "Potential Obstacles to the Redeployment" and United Nations Security Council Resolution 2480 (June 2019). To note, the July 2019 Roadmap mentions 2,000 "additional" combatants, presumably in addition to the 1,840 theoretically integrated in the first wave of accelerated DDR, thus a total of 3,840.
[7] See, e.g., Mid-Term Report of the Group of Experts on Mali (Feb. 28, 2020), as per United Nations Security Council Resolution 2374 (September 2017). Indeed, in general, the Signatory Movements' leaders are reluctant to recognize the severing of links with their combatants who have been integrated into the FDS.
[8] Article 6 stipulates that, "the Parties shall put in place an institutional architecture enabling the populations of the North to manage their own affairs in a spirit of participative citizenship, based on the principle of free administration and enabling wider representation of these populations within national institutions."
[9] On March 4, the prime minister visited Kidal, where voting for the first round took place.
[10] In order to win support for extending the National Assembly's mandate, in 2018 the government promised to implement reforms to increase the representation of the north. Such steps have not yet taken place. See, the section on "Territorial Reorganization."
[11] In this context, the Independent Observer takes special note of the kidnapping of the head of the opposition and the Union for the Republic and Democracy (UDF), Soumaïla Cissé, as well as members of his entourage, on March 25 while he was campaigning in Niafounké, Timbuktu region.
[12] See, Mid-Term Report of the Group of Experts on Mali (Feb. 28, 2020), as per United Nations Security Council Resolution 2374 (September 2017).
[13] See also, Annex I: the "prompt adoption of the constitutional, legislative and regulatory texts to enable the implementation of the provisions of the agreement."
[14] Law N.02-010 of March 5, 2002, the Organic Law, fixes the number, the conditions of eligibility, the regime of ineligibilities and incompatibilities, and the conditions of replacement of the members of the National Assembly in case of vacancies, their allowances and determining the conditions for the delegation of voting.
[15] Law N.2016-048 of Oct. 17, 2016, the Electoral Law.
[16] See, the meeting report of the subcommittee on political and institutional issues, March 7-8, 2016. Indeed, following its Dec. 2015 meeting, the subcommittee recommended that "consultations [on redistricting], undertaken jointly, begin in January 2016."
[17] That is, the Organic Law, the Electoral Law, the Code of *Collectivités Territoriales*, and the Law on Free Administration.
[18] Redistricting does not appear in the July 2019 Roadmap adopted by the parties.
[19] Law N.2018-040, on the creation of regional *collectivités territoriales*, the *cercles,* and municipal authorities in the Taoudéni region, and Law N.2018-041, on the creation of regional *collectivités territoriales*, the *cercles,* and municipal authorities in the Ménaka region (both June 27, 2018).
[20] The new *cercles* of Al-Moustarat and Achibogho have not yet been organized into municipalities.
[21] See, letter from the prime minister to the president of the CMA (March 21). The prime minister highlights the "government's firm commitment, before the end of 2020, to finalize territorial reorganization and hold partial elections for deputies in the National Assembly, particularly in Taoudéni and Ménaka regions and the Achibogo and Almoustarat cercles in Kidal and Gao."
[22] Letter from the CMA to the leader of the International Mediation (March 26, 2020), which references the prime minister's March 21 letter.

[23] Law N. 2017-051 of Oct. 2, 2017, on the Code of *collectivités territoriales*; Law N. 2017-052 of Oct. 2, 2017, determining the conditions for the free administration of the *collectivités territoriales*.
[24] This delay is due principally to internal differences within the Movements.
[25] The parties' agreement is that appointments be made one municipality at a time.
[26] The attitudes of local populations, which often wish to belong to a particular municipality, as well as the electoral strategies of some politicians, are additional difficulties in redistricting.
[27] See, for example, the president of the CN-DDR's March 13 letter regarding the 1,160 combatants for the second wave of accelerated DDR. In his letter, the president asks the Movements to submit and certify a list of proposed combatants. In addition, note that the presentation of lists of combatants has been further complicated by the involvement, at times, of the president of the republic's high representative for the implementation of the agreement and the Ministry for Social Cohesion, Peace, and Reconciliation.
[28] The MOC never fulfilled its role of conducting joint patrols, apart from tentative efforts in Gao. Also, the MOC's low operational capacity was caused by serious security challenges and the lack of adequate equipment, armament, and logistical support from the parties.
[29] See, CTS Session, Nov. 28, 2019.
[30] Explanatory note of the CTS, Nov. 28, 2019. After lengthy discussions, the CTS decided that the integrated combatants should deploy to their regions of origin in order to continue the mission of the MOC.
[31] During a field visit in March, the Independent Observer gathered information that some integrated combatants were, for example, deployed in Sikasso. The Independent Observer was subsequently informed that those combatants had been deployed north.
[32] The parties disagreed about the identities of the combatants for the integrated battalion in Kidal. The CTS finally assigned the task of verifying the identities to the MOC command structure and the EMOV in Gao. Note that the redeployment of combatants from the Movements of Inclusivity was also the subject of a long debate within the CTS, which only ended in February 2020.
[33] As of mid-March, the deployment of the remainder of combatants for Kidal was postponed by the CTS because it did not fulfill the requirement of one-third of the deployment for each party. Indeed, in general, the Movements allege that they are unable to verify if this principle has been respected. See, CTS session, March 11, 2020, and information given by interlocutors.
[34] In its February meeting, the CSA's subcommittee on defense and security issues recommended that the Signatory Movements order their absent combatants to report for duty to the MOC or the nearest barracks and that the government transport the combatants to their deployment sites. The CTS reiterated the same recommendation and set a deadline of March 10. This deadline was not met. See, section on "Transition to 3,000 Integrated Combatants."
[35] Operation Barkhane and MINUSMA are also present in Kidal, Gao, and Timbuktu.
[36] See, the conclusion reached at the Jan. 31, 2020, CTS meeting. To recall, Article 22 of the agreement stipulates the inclusion in significant numbers of people from the northern regions in the reconstituted army, including at command level. Among the conclusions of the high-level meeting of the FAMa command and the Movements, held in December 2018, was that the "reconstituted Defense and Security forces concern all levels of the chain of command."
[37] See, CTS session, Feb. 28, 2020. The CTS also recommended a coordination mechanism between the FAMa zone commanders and the regional MOC offices.
[38] These figures do not consider the missing among the 1,325 integrated combatants.