

# Report of the Independent Observer

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

*Evaluation of Implementation in 2019*

January 2020

THE  
CARTER CENTER





*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 December 2019.*

*The Carter Center, a not-for-profit, nongovernmental organization, has helped improve people's lives in over 80 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; and improving mental health care. The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and former First Lady Rosalynn Carter, in partnership with Emory University, to advance peace and health worldwide.*

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## ACRONYMS AND TERMINOLOGY

ACRONYM <sup>3</sup>	DEFINITION
BUS	Special Unit Battalions
CN-DDR	National Commission for Disarmament, Demobilization, and Reintegration
CI	Integration Commission
CMA	Coordination of Azawad Movements
CSA	Monitoring Committee
CTS	Technical Security Committee
CVJR	Truth, Justice, and Reconciliation Commission
DDR	Disarmament, Demobilization, and Reintegration
DNI	Inclusive National Dialogue
FAMa	Armed Forces of Mali
FDD	Sustainable Development Fund
GATIA	Tuareg Imghad Self-Defense Group and Allies
HCUA	High Council for Unity of Azawad
MAA	Arab Movement of Azawad
MINUSMA	United Nations Multidimensional Integrated Stabilization Mission in Mali
MOC	Operational Coordination Mechanisms
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
PTF	Technical and Financial Partners
RSS	Security Sector Reform
<b>TERMINOLOGY</b>	<b>DEFINITION</b>
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



## TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY</b> .....	1
<b>IMPLEMENTATION IN 2019</b> .....	2
A. Methodology .....	2
B. Overview of Implementation in 2019 .....	3
C. Quantitative Evaluation of Implementation .....	5
<b>OBSERVATIONS</b> .....	12
A. Justice, Reconciliation, and Humanitarian Issues.....	12
B. Socio-economic and Cultural Development Issues .....	14
C. Political and Institutional Issues.....	16
D. Defense and Security Issues .....	19
E. Guarantees and Support from the International Community .....	22
<b>UNDERLYING FACTORS IMPEDING IMPLEMENTATION OF THE AGREEMENT</b> .....	25
<b>RECOMMENDATIONS</b> .....	27
A. Implementation of the Independent Observer’s Recommendations .....	27
B. Recommendations for 2020 .....	28
<b>NOTES</b> .....	31
<b>ANNEX</b> .....	33



## EXECUTIVE SUMMARY

At the close of 2019, the implementation of the Agreement for Peace and Reconciliation in Mali is at its lowest point since the Independent Observer began its mandate in January 2018. Despite occasional progress, often made following extremely protracted negotiations, the concrete results for the Malian population, whether in the politico-institutional, security, economic, or rule of law domains, are minimal. **Compared to 2018, both implementation and popular support for the agreement have stalled and, in many cases, regressed.** The lack of significant action by stakeholders or concrete results is even more striking given the escalation of violence during the year.

The blockages in implementation are multiple, at times petty, and perhaps indicative of the parties' bad faith. Overcoming them absorbs an attention disproportionate to the results achieved.<sup>4</sup> **The general result is a bogged-down implementation process that is nevertheless capable of producing, after months of blockages, ad hoc progress.**

Initially, the Independent Observer endeavored to identify clearly the actor or party responsible for a particular blockage. Responsibility, however, is often shared among stakeholders. **The current phase is the result of the failures of the Malian Parties, caused primarily by absence of leadership and lack of mutual trust.**

**It is also partly because of the lapses of the international community.** Despite its significant support of the United Nations Multidimensional Integrated Mission in Mali (MINUSMA), whose mandate includes supporting implementation of the agreement, the international community seems almost exclusively focused on the serious security situation, devoting much less attention to the political, judicial, and economic foundations of peace. Indeed, **in 2019 the Independent Observer noted the nearly complete withdrawal of the international community from its role as mediator and guarantor of the agreement, epitomized by the failure of the Monitoring Committee (CSA) to meet in the last quarter of the year.** The international community needs to resume its role, develop more focused political steps, and both work with the Parties and apply pressure in order to support Malian efforts to overcome the current situation.

Nonetheless, despite the considerable delays and difficulties, the Malian Parties remain committed to the principles of the agreement, insisting that it is the only path to reconciliation and stability in Mali.

In this report, as it has done in previous reports, the Independent Observer urges the Malian parties, but also international actors, to change their approach and take more pragmatic, proactive, and targeted action.



## IMPLEMENTATION IN 2019

This report closes out the second year of the mandate of the Independent Observer of the implementation of the agreement. According to Article 63, the role of the Independent Observer is to “objectively evaluate the implementation status” of the agreement and to publish reports, available to the public, “on the achievement of the commitments made in the agreement, identifying any blockages and responsibility for these, and making recommendations on the measures to be taken.” In addition to its observations and recommendations on overall implementation, the Independent Observer's reports in April and September 2019 focused on the two pillars of the agreement that have received little attention during the four-and-a-half years of implementation, namely Title IV (Socio-Economic and Cultural Development) and Title V (Reconciliation, Justice, and Humanitarian Issues). **The three reports on implementation in 2018, in combination with the three reports covering 2019, comprehensively encompass the Independent Observer’s analyses and observations.**

### *A. Methodology*

In 2019, the Independent Observer continued the working methods in place since the start of its mandate. From its office in Bamako and through field missions to Gao, Kidal, Timbuktu, and Mopti, the Independent Observer maintained regular contacts with the Malian Parties, the organs responsible for supporting implementation, and the actors mentioned in Article 51 of the agreement. It also maintained regular contact with Mali’s partners in the international community. The Independent Observer systematically attended sessions of the CSA and its subcommittees, as well as meetings or events related to the agreement.

As it did in the report covering 2018, the Independent Observer in this report uses qualitative observations accompanied by quantitative evaluation and illustrative graphs in order to capture the state of implementation as clearly as possible. The quantitative evaluation is derived from the exhaustive list of commitments undertaken by the parties, which was previously developed in close consultation with them and selected members of the Mediation. The 78 specific commitment points are each broken down into indicators, allowing for a systematic assessment of progress.<sup>5</sup> For most of the commitments, which are now in an operational phase, the evaluation focuses on the rate of progress in relation to the final objectives set by the agreement.

This report is structured around the main pillars of the agreement, namely: Creating a new political and institutional architecture (Title II); establishing a defense and security system based on the principles of unity, inclusivity, and representation (Title III); creating a Northern Region Development Zone and accelerating the development of the northern regions (Title IV); promoting national reconciliation and justice reform, as well as addressing humanitarian issues (Title V); and providing international guarantees and support (Title VI). **For the first time, the Independent Observer also assesses the parties’ adoption of its previous recommendations.** It also presents its main recommendations for 2020, which have been developed over its two-year observation of the implementation process.



## *B. Overview of Implementation in 2019*

### *Overall Context*

2019 was a particularly difficult year for Mali. For the first time in two years, armed conflict re-emerged between the Malian Parties.<sup>6</sup> The atmosphere of political tension that emerged during the 2018 presidential and legislative elections remained. The deteriorating political atmosphere led to the prime minister's resignation in April and the establishment of a new government that included a few members of the opposition.<sup>7</sup> On the social front, the year was marked by countless strikes and protest movements. There were strikes by teachers, the judiciary, medical personnel, and religious movements; youth in Kayes and Timbuktu also protested. There were regular reports in the media of plans for a coup d'état. Finally, multiple protests in November called for increased support to the Malian Armed Forces (FAMa) and for the departure of French and U.N. forces from Mali. In its observations and recommendations, the Independent Observer has taken into account the increasingly unstable and contested socio-political context and the multiple challenges faced by the government and, to a lesser extent, other actors.

The spread of violence, in various forms, was a central trend in 2019, with significant impact on both the government and MINUSMA. A recent report by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) said that over 1500 civilians were killed in 2019.<sup>8</sup> Only the southern part of Mali, roughly one-third of the country, is exempt from regular, large-scale acts of violence. In the central region, violence stemming from inter-communal conflicts, such as the massacres in Ogossagou, Bankass, Douentza, Koro, and Bandiagara, worsened in 2019; some experts evoked the specter of ethnic cleansing.<sup>9</sup> In the north, particularly in the areas of Gao, Timbuktu, and Menaka, rampant banditry and criminality, often linked to drug trafficking, have exacerbated insecurity and demonstrated the weak interest of some actors in implementing the agreement.<sup>10</sup>

Terrorist groups have struck regularly the FAMa, causing significant casualties, particularly in Boulkessi, Mondoro, Indelimane, and Tabankort, but also in dozens of other places. International forces have also been victims of violence – the French army lost 13 men in November, and MINUSMA lost 22 soldiers in 2019. Over the same period, the 12 U.N. peacekeeping missions in other parts of the world suffered only one death.<sup>11</sup> Mali's neighbors, Niger and Burkina Faso, have increasingly become targets of deadly attacks.

### *Realignment of the Balance of Power and the Emerging Expansion of the CMA in the North*

Within this overall security context, the Independent Observer noted a rearrangement of the political-military space, as illustrated by the Coordination of Azawad Movements' (CMA) security operations *Acharouchou* (in Kidal) and *Alafia* (in Timbuktu), as well as its new alliances following the implosion of the Platform. (It is worth noting that *Alafia* was undertaken in apparent collaboration with the FAMa.) Indeed, the significant splits within the Platform, in both the Arab Movement of Azawad (MAA) and the GATIA (Tuareg Imghad Self-Defense Group and Allies), impacted the overall atmosphere of implementation. Today, the Platform's role and real influence on future implementation are unclear.

The sum of these actions is an effort by the CMA, and more particularly the High Council for Unity of Azawad (HCUA), to consolidate and expand its presence in the north. This



development, while possibly a response to problems of insecurity, significantly alters the balance of power among the Malian Parties.

#### *Increasingly Skeptical Public Attitudes toward the Agreement*

For the first time since 2015, the agreement is at the core of intense national debates; this development, however, has not always been constructive. On Sept. 21, the president of the republic raised publicly the possible revision of the agreement. This step, combined with the linkage of the agreement to the National Inclusive Dialogue (DNI), had a negative impact on relations among the parties. The Signatory Movements (Movements), particularly the CMA, opposed any change to the agreement within the framework of the DNI, insisting that the agreement itself provides mechanisms for revision. The president's speech also reignited critiques of the agreement, with opponents seeing a new opportunity to abandon it. Negotiated at the last minute, the CMA's participation in the DNI, which took place Dec. 14-20, eased these tensions and could contribute to an improvement in implementation in 2020. One of the DNI's conclusions was that the agreement should be revised in accordance with Article 65.

Today, the future of the agreement appears to be on hold pending the implementation of the DNI and constitutional reform. The Independent Observer, however, shares the view of many stakeholders that the implementation of important provisions of the agreement does not require constitutional reform.

Another major obstacle is the lack of public support and ownership of the agreement. Given the absence of concrete positive outcomes, public attitudes towards the agreement are increasingly hostile. Further, the Independent Observer notes the ever-widening gap between the Malian Parties and the population. In the north and the south, there is a growing lack of public confidence in the parties, including their ability to represent communities or to provide solutions to the country's problems. In its missions in the north, particularly Kidal, the Independent Observer found that the population, which had been won over by the idea of independence, feels disserved by the agreement, which has neither resolved the security crisis nor brought economic benefits. The growing gap between the leaders of the Signatory Movements, gathered in Bamako, and their armed forces, is also worth noting. In the south, the Independent Observer found that due in part to political leaders' failure to explain the aims of implementation, the public – which has long perceived the process as excessively conciliatory towards the former rebels and favorable only to the north – increasingly rejects the agreement. The exclusion of civil society, including women, youth, and traditional leaders, from the implementation process has sharpened the public's feeling that the agreement is a political project of the elite.

#### *Weak Commitment of the Malian Parties*

In 2019, the Independent Observer noted a continuing decline in the parties' determination to fulfill their commitments. **The approach of both the government and the Movements has been characterized by hesitation, calculation, and widely different starting points, all of which have hindered implementation significantly.** Examples of this include the debates around the designation of the Interim Authorities of the *cercles*, the definition of the criteria for combatants' eligibility for accelerated DDR, the standing-up of the Sustainable Development Fund (FDD),



and the deployment of the Movement combatants trained for integration into the Malian defense forces. All of these issues were mired in almost endless debates.

The government's ambivalence manifested itself, for example, in the ineffectiveness of the Ministry of Social Cohesion, Peace, and Reconciliation, which was nominally the coordinator of the government's implementation efforts.<sup>12</sup> Despite significant attempts by the minister, the ministry was simply not sufficiently empowered to lead the execution of the government's commitments. Take, for example, the differing views of the Ministry of Social Cohesion and the Ministry of Economy and Finance about the inclusion of the Movements in the management of the Sustainable Development Fund. (The former was in favor of inclusiveness, as per the commitment undertaken in the July 2019 Roadmap, while the latter insisted on its exclusive management of the FDD. The prime minister did not intervene to settle the issue.)

In October 2019, possibly as a result of previous recommendations of the Independent Observer, **the government established two new coordination structures for implementation, namely an Inter-Ministerial Coordination Commission and a Joint Government-Development Partners Commission.**<sup>13</sup> This represents at least the third round of governmental arrangements to organize better its effort to implement the agreement.<sup>14</sup> To improve implementation, it will be important that these new structures have the necessary powers to achieve their objectives.

#### *Dysfunction of the Architecture of Implementation*

The Independent Observer has consistently drawn attention to the weakness of the CSA. It also indicated that the Mediation has, over time, relinquished its role as conciliator and last recourse, as stipulated in the agreement. In combination, these two failings are among the key factors slowing implementation. The CSA has been unable to facilitate solutions to the problems among the parties or to enforce its recommendations. Thus, the crucial issue of the absence from Kidal of national defense and security forces (from the government's perspective) or of basic social services (from the CMA's perspective), which was the subject of a specific discussion and recommendation by the high-level CSA meeting in July 2019, still has not been resolved.

These difficulties, against the backdrop of low confidence among the parties, contributed to the government's cancellation, without prior consultation with the Movements, of the CSA session in Kidal scheduled for September. This action, and the subsequent decision of the CMA to suspend its participation in some implementing bodies of the agreement, resulted in the CSA and its subcommittees not holding meetings in the last four months of 2019.

Despite its struggles and weaknesses since 2015, the CSA remains the only body bringing together Malian and international stakeholders, making it the central forum for the implementation of the agreement. Simply put, **without more efficient and focused engagement by the international community, the implementation of the agreement will remain extremely difficult.**

#### *C. Quantitative Evaluation of Implementation in 2019*

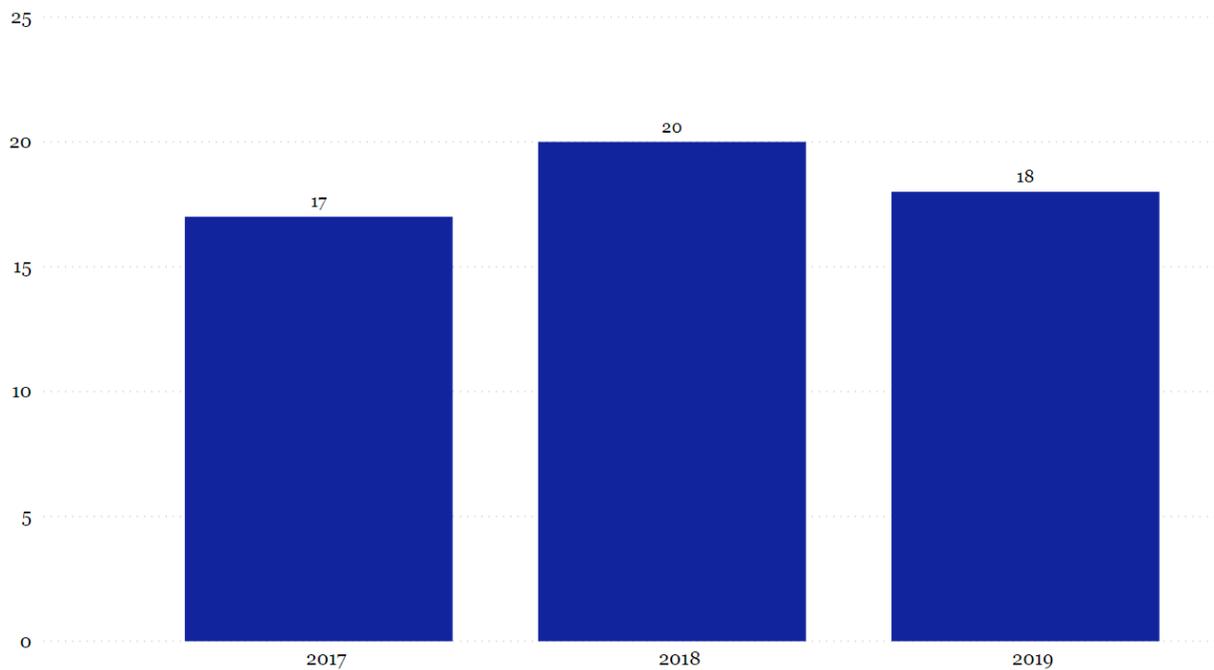
In 2019, some of the advances made in 2018 were reversed, while other commitments were bogged down in nearly endless negotiations or not initiated at all. The latter category includes several points included in the July 2019 Roadmap and in United Nations Security Council



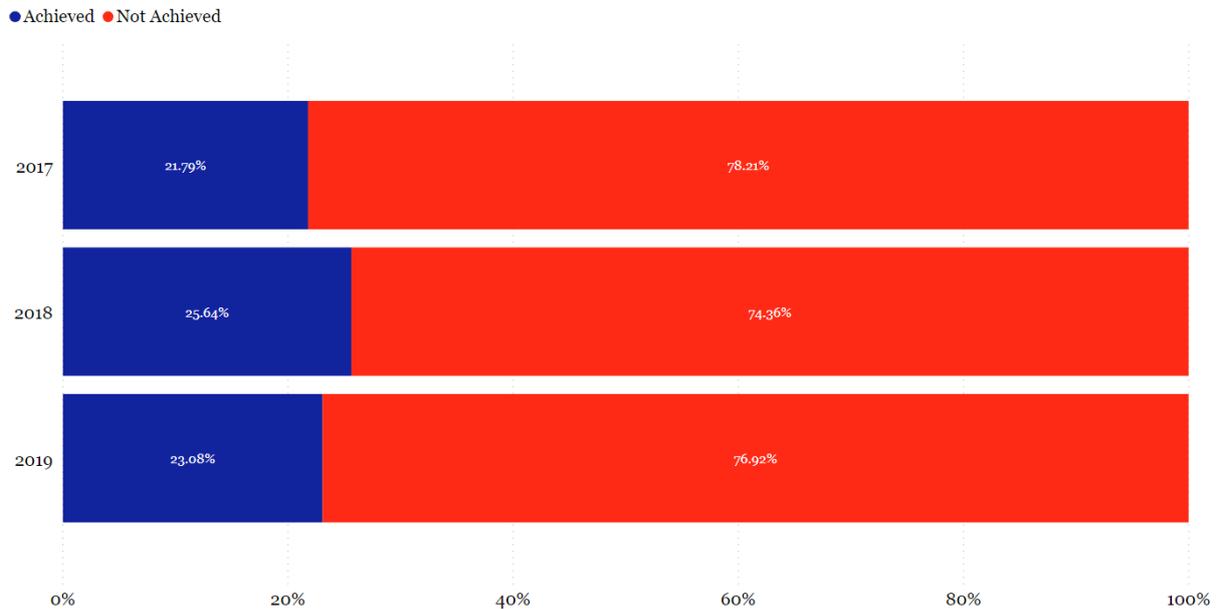
Resolution 2480 (June 2019) – for example, increasing women’s participation in the implementation process.

Overall, of the parties’ 78 specific commitments evaluated by the Independent Observer, 18 have been completed, down from 20 in 2018. The number has dropped because the achievement of certain commitments, such as the cessation of conflict between the parties, is reversible.<sup>15</sup> As highlighted by the Independent Observer in its previous reports, the commitments that have been achieved relate mainly to preparatory or preliminary actions. **More than four-and-a-half years after the signing of the agreement, almost 80% of the commitments have yet to be fulfilled.** Graphs 1 and 2 illustrate the evolution of commitments achieved between 2017 and 2019.

Graph 1: Comparison of Implemented Commitments, 2017-2019



Graph 2: Comparison of Implemented Commitments, by percentage, 2017-2019



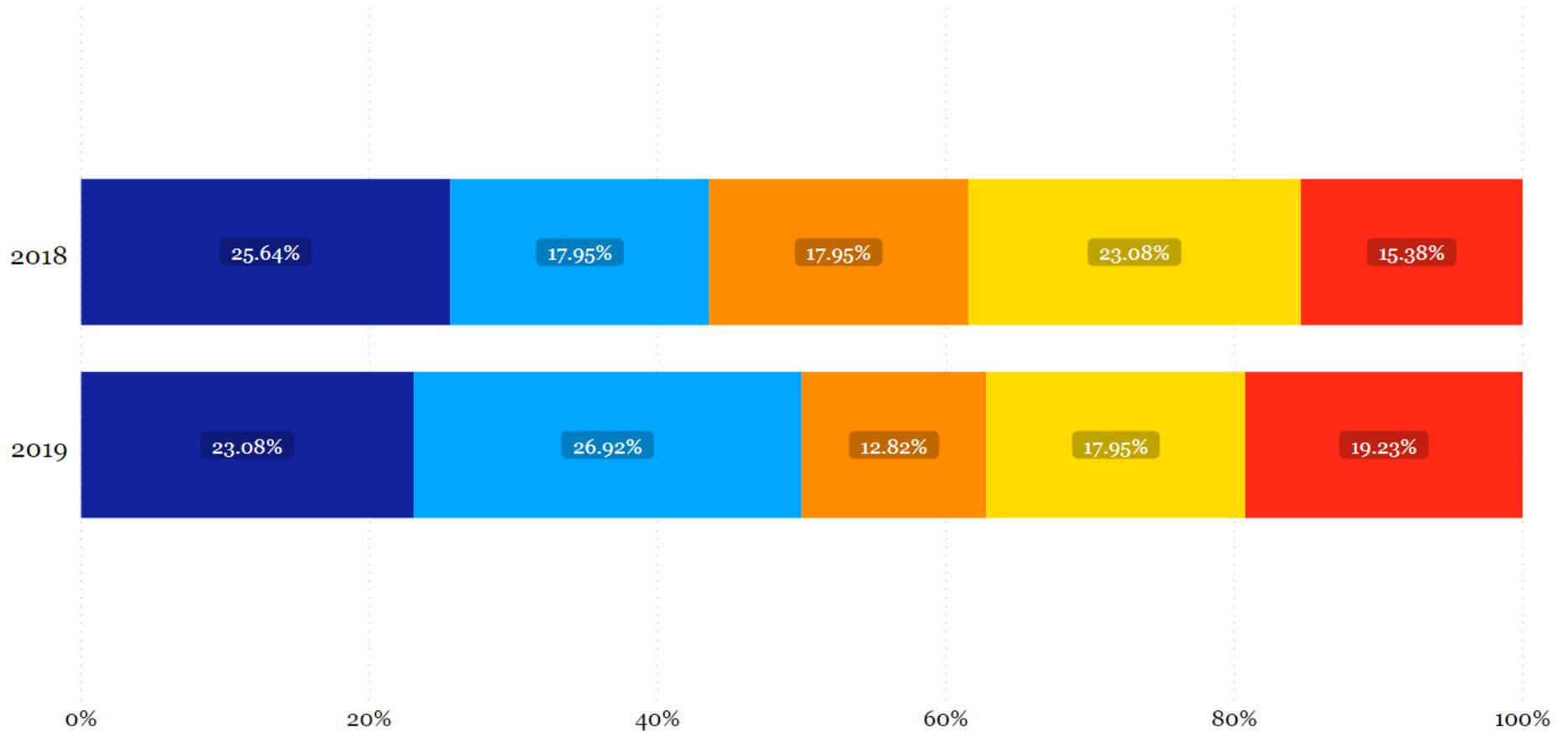
In order to measure progress toward the fulfillment of commitments, the Independent Observer monitors progress on a scale ranging from “not initiated” to “achieved.” The percentage of “achieved” commitments fell from 25.64% in 2018 to 23.08% in 2019, while the percentage of commitments “almost achieved” increased from 17.95% in 2018 to 26.92% in 2019. These changes were mainly caused by the downgrading of several commitments previously considered “achieved.”<sup>16</sup> In addition, the number of commitments “not initiated” increased from 15.38% in 2018 to 19.23% in 2019. Finally, the percentage of commitments in the three most positive categories (“achieved,” “almost achieved,” and “intermediate”) remained almost unchanged at around 62% of all commitments. This is explained by the general stagnation observed, which occurred alongside regression in the implementation of multiple specific points.

Graph 3 illustrates the evolution of commitments by stage of implementation. Graphs 4 and 5 show the status of implementation per pillar of the agreement in 2019 and 2018 respectively.

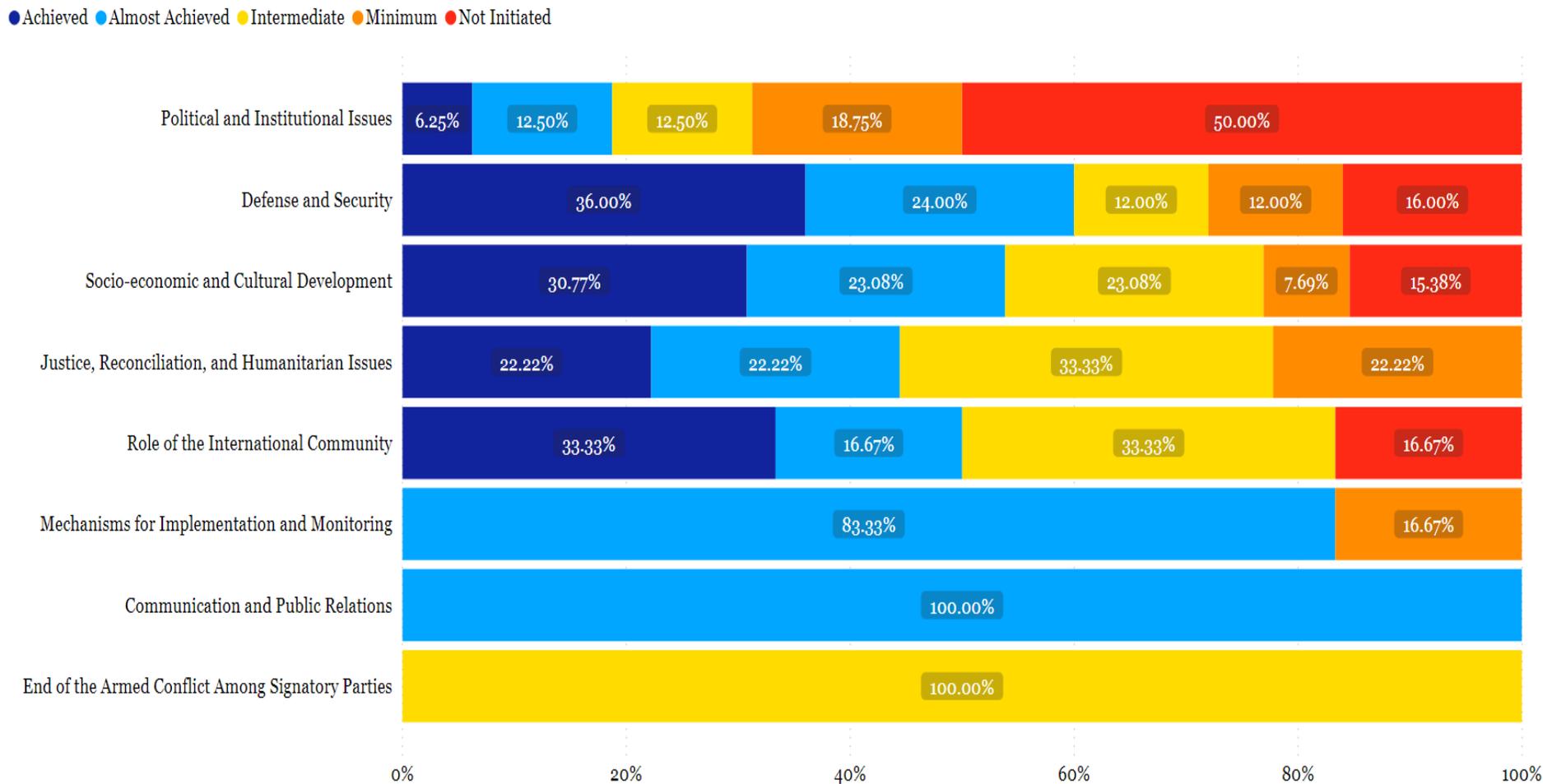


Graph 3: Evaluation of implementation by stage of implementation, 2018-2019

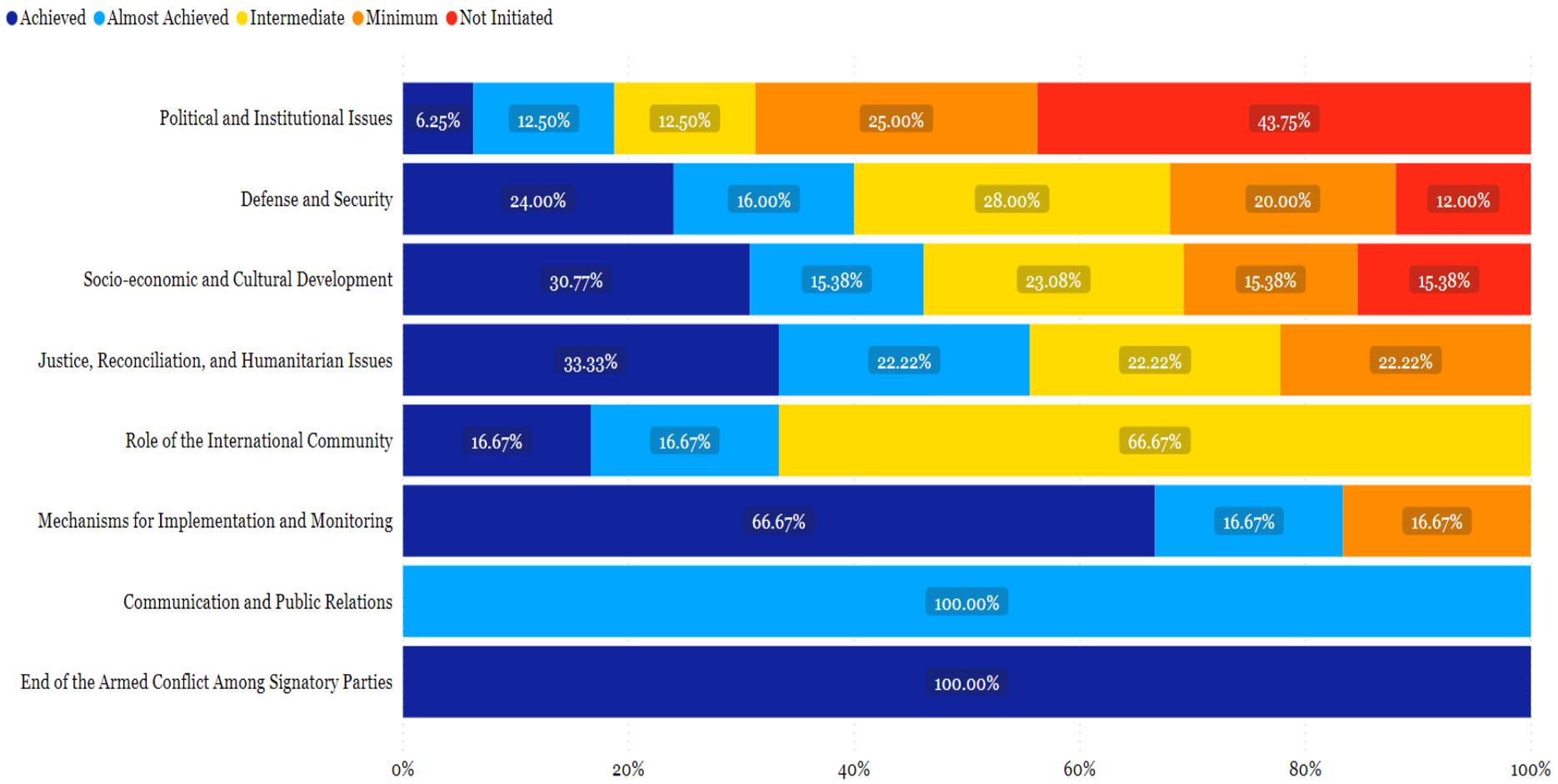
● Achieved ● Almost Achieved ● Minimum ● Intermediate ● Not Initiated



Graph 4: Implementation per Pillar, 2019



Graph 5: Implementation per Pillar, 2018





*July 2019 Roadmap*

A largely similar analysis applies to the implementation of the roadmaps adopted by the Malian Parties in March 2018 and July 2019; the latter set a number of objectives for December 2019.<sup>17</sup> Overall, few of these objectives have been achieved. Of the 20 commitments made in the July 2019 Roadmap, four have been achieved (5%), three have been almost achieved (25%), four are at an intermediate stage (20%), six are at minimum stage (30%), and three have not yet been initiated (20%). Similarly, none of the 12 specific objectives set by Resolution 2480 (June 2019) has been fully achieved to date; half have been partially achieved, and the other half have not been initiated.<sup>18</sup>

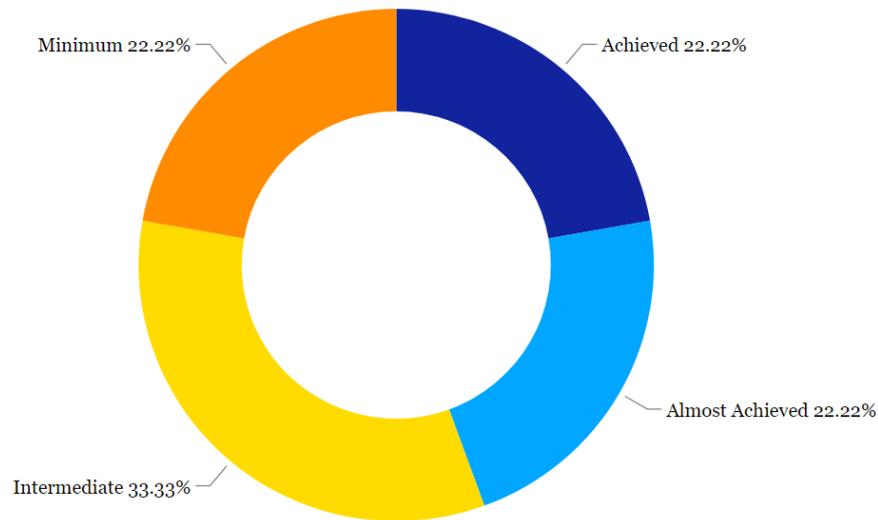


## OBSERVATIONS

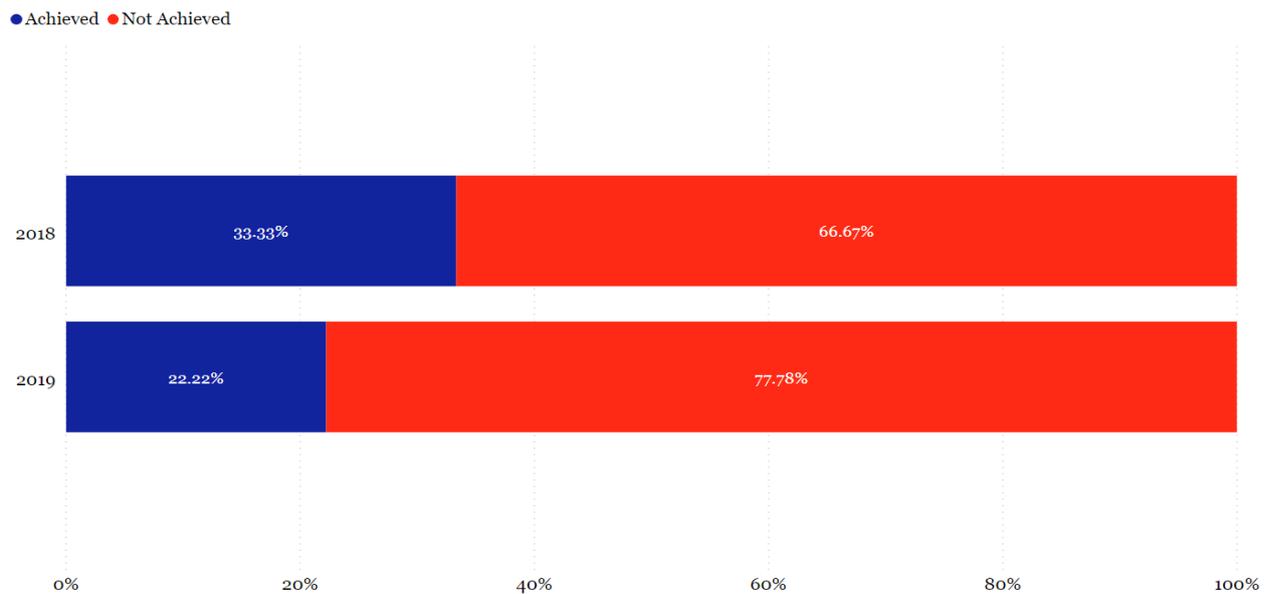
### *A. Justice, Reconciliation, and Humanitarian Issues*

Justice, reconciliation, and humanitarian issues (Title V) are the orphans of the agreement. **By the end of 2019, 22% of Title V had been achieved, a 10% regression from 2018.** Graph 6 depicts the status of implementation in 2019, and Graph 7 shows the negative evolution of the pillar since 2018.

Graph 6: Implementation of Title V of the Agreement, 2019



Graph 7: Progress in the Implementation of Title V, 2018-2019





Title V is divided into three themes: justice reform, transitional justice, and humanitarian issues.

### *Justice Reform*

Recognizing the importance of justice as one of the major components for peace and reconciliation, the Malian Parties have committed in Article 46 to implement significant reform in order to make the justice system more accessible and end impunity. The Independent Observer stresses that this component of Title V has received extremely little attention over the more than four years of implementation of the agreement.

The “Emergency Program to Strengthen Judicial Reform and the Implementation of the Peace and Reconciliation Agreement,” with a budget of FCFA 32.998 billion (US\$56.10 million), was initiated by the government in 2015 for the period 2015-2018.<sup>19</sup> But the government has not published a final assessment of the program, and its impact remains unclear.<sup>20</sup> It is well known, and yet too often forgotten, that **the significant lack of effective judicial services, particularly in the center and north, contributes to the increase in the influence of terrorist actors and to cycles of retaliation and violence.**<sup>21</sup> Indeed, given the failure to integrate traditional and customary mechanisms into the formal judicial system, a de facto parallel system has been established. *Cadis* (Islamic judges) deliver justice in Kidal, including in criminal matters, and individuals subject to international sanctions, such as Houka Houka, exercise judicial power in the Timbuktu region.

### *Transitional Justice*

To date, the Truth, Justice, and Reconciliation Commission (CVJR) has collected some 15,000 testimonies from victims. This process, however, is not intended to establish individual responsibility or identify perpetrators for criminal prosecution. Indeed, to date **the CVJR process has not brought alleged perpetrators and victims face to face, which could allow the parties to acknowledge the truth about specific events and thus lead to reconciliation.** Public hearings were launched by the CVJR on Dec. 8 in Bamako, but they involve only victims.

The Law on National Understanding was enacted on July 24, 2019, by the president. Having followed the controversy caused by the draft bill introduced in 2018 and the eventual solution reached by the National Assembly, the Independent Observer notes that dissenting opinions about the law remain. Criticism mainly focuses on the imprecise definition of crimes and the fact that the law, according to its detractors, potentially eases non-prosecution or dismissal of prosecutions against those allegedly involved in crimes committed since the 2012 crisis.

### *Humanitarian Issues*

The Independent Observer notes that the parties have not fulfilled their commitments on humanitarian issues. Although this failing can be partly explained by terrorist threats and inter-communal conflicts, in general, **the parties’ approach to humanitarian issues is characterized by a lack of engagement.**<sup>22</sup> Humanitarian organizations face enormous difficulties in gaining access to people in need. In the regions of Timbuktu, Gao, Menaka, and Mopti, humanitarian actors are obliged to negotiate access for activities with the local leaders of armed and criminal groups. In its April report, **the Independent Observer recommended a systematic and regular forum to facilitate dialogue between humanitarian actors and the signatories’ political leaders.**



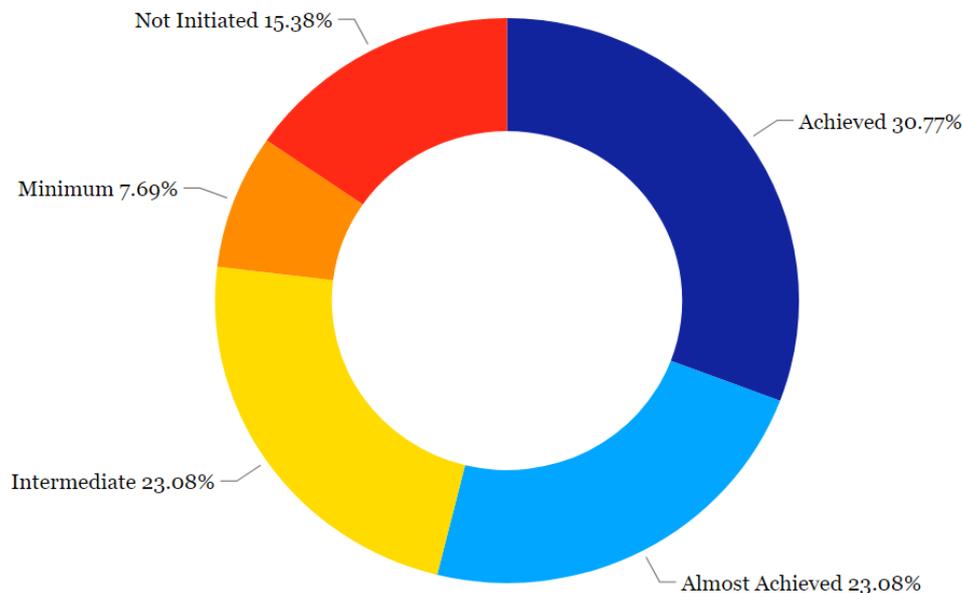
This recommendation has not been discussed by the CSA and, a fortiori, has not been implemented to date.

### *B. Socio-economic and Cultural Development Issues*

Out of the 13 commitments under Title IV, four have been achieved (30%), three have been almost achieved (23%), three are at intermediate stage (23%), one is at a minimum stage (8%), and two have not yet been initiated (15%). These percentages remain unchanged since 2018. Peace dividends in the form of economic and social development have been extremely slow to materialize.

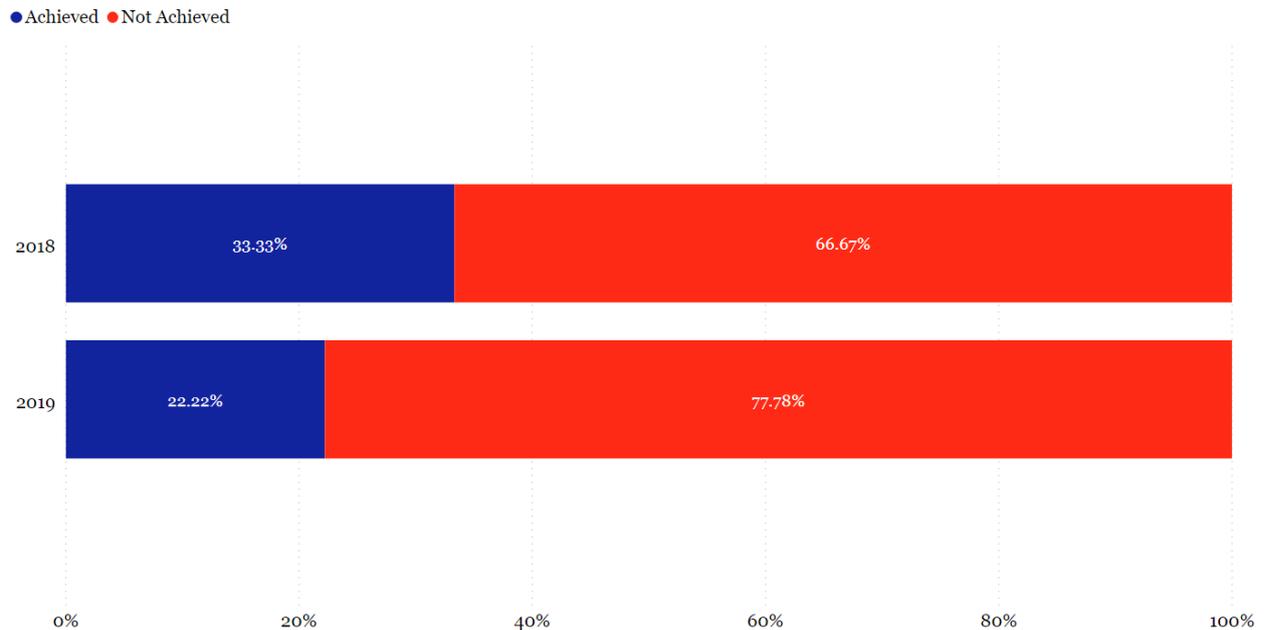
The approval of the Specific Development Strategy for the Northern Regions (July 2017), the adoption of the law establishing the FDD (2018), the enactment of Law 2019-041 on the creation, organization, and management of the Development Zone (July 24, 2019), and the decree establishing the Inter-Regional Consultative Council of the Development Zone (Sept. 30, 2019) represent progress in the regulatory and legislative domain, but these steps have not yet been translated into concrete actions. **In short, the framework to bolster greater development exists on paper, but not on the ground.** Graph 8 illustrates the status of implementation of Title IV in 2019, and Graph 9 shows the stagnation of the pillar since 2018.

Graph 8: Implementation of Title IV of the Agreement, 2019





Graph 9: Progress in the Implementation of Title IV, 2018-2019



#### *Specific Development Strategy for the Northern Regions*

The Specific Development Strategy for the Northern Regions, under the responsibility of the Ministry of Social Cohesion since December 2018, still lacks a plan for converting the document into action. Nor are the mechanisms put in place by the Ministry of Economy and Finance yet operational. No policy to mobilize funds has been defined, contrary to the provisions of Article 34.

#### *Sustainable Development Fund*

Although officially created in January 2018, to date, the FDD is not operational. Administrative and financial procedures still need to be finalized. Planned for late 2019, the management committee's second meeting, which aimed to adopt internal procedures, did not take place (nor did the preliminary meeting between the parties to finalize the proposed procedures occur). These steps, in which the Signatory Movements were scheduled to participate, would have been an opportunity to resolve definitively the issue, pending since 2018, of the inclusion of the movements in the management of the FDD. One of the stipulations of Resolution 2480 (June 2019) and of the July 2019 Roadmap was to ensure the inclusiveness of the FDD's management bodies.

The issue of the government's financial contribution to the FDD has still not been clarified. In its September report, the Independent Observer drew attention to the fact that the FDD currently lacks the funding anticipated in the Specific Development Strategy (2194 billion FCFA, or US\$369.26 million). Government reports indicate an available reserve of FCFA 24.34 billion (US\$40.95 million) from budget transfers in 2016 and 2017.<sup>23</sup> This represents a fraction of the anticipated funding. In an official note, the government highlighted that it has, on an exceptional basis, provided FCFA 9.1999 billion (US\$15.48 million) for urgent development actions in the northern regions; however, these funds may need to be reimbursed once the FDD is operational.<sup>24</sup> The government and the Movements continue to disagree on the reality and



impact of these expenditures. More fundamentally, **the key question is whether the Specific Development Strategy is a dead letter, given the lack of funding more than four years after the signing of the agreement.**

#### *Coordination of Actions in Support of Development*

The Independent Observer is informed regularly about development activities undertaken in support of implementation. With some exceptions, these activities appear, however, to be conducted by the Technical and Financial Partners (PTFs) with minimal dialogue among them or with CSA members or other implementing bodies. Notably, **there is no periodic evaluation by the CSA of the impact of development activities, as stipulated in Article 44.** The absence of such mechanisms, combined with the lack of public communication about projects, contributes to the public's sense that the agreement has not produced peace dividends.

**In keeping with the Independent Observer's previous recommendations, in October the government established the Joint Government-Development Partners Commission to coordinate development activities.** In order to address the significant difficulties mentioned above, the commission will have to become operational rapidly.

#### *Redeployment of Social Services in the North*

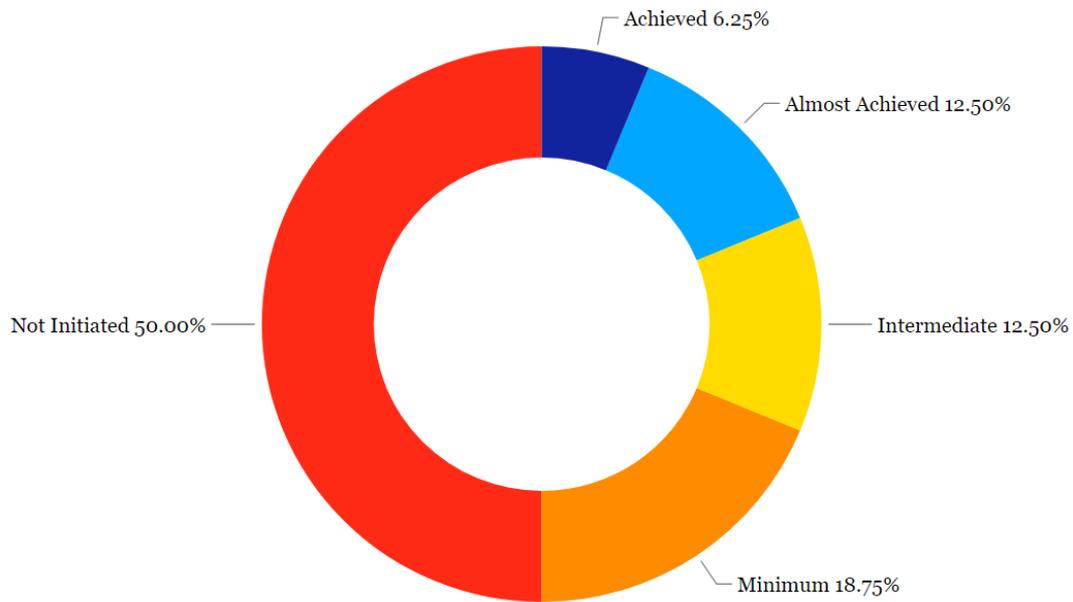
Following the July high-level CSA meeting, which urged the return of social services to the north, the government, after consultation with the Movements, established an inter-ministerial body to plan for re-establishing these services. Simply put, this mechanism has not produced concrete results. The main reason is that the Ministry of Social Cohesion, responsible for coordinating the government's efforts, lacked the necessary authority over the other ministries involved. Indeed, lack of leadership is particularly apparent in development issues, as evidenced by the absence of a clear division of responsibilities between the Ministry of Social Cohesion and the Ministry of Solidarity and Humanitarian Action, because both consider development within their purview. A similar conflict between ministries has impeded the FDD. While recognizing the potential importance of new mechanisms such as the Inter-Ministerial Coordination Commission and the Joint Commission, this type of unresolved intra-governmental tension is so chronic that the Independent Observer must assume that it is sometimes intentional.

#### *C. Political and Institutional Issues*

The Independent Observer notes the significant gap between the implementation of the political and institutional reforms in Title II and the implementation of other titles of the agreement. Indeed, **50% of the commitments under this pillar have not been initiated, which is by far lower than any other section of the agreement.** Only one of the 16 commitments (6.25%) has been achieved, a completion rate unchanged since 2018. **Four-and-a-half years after the signing of the agreement, virtually all of the politico-institutional components still need to be implemented.** Graphs 10 and 11 illustrate the status of implementation of Title II of the agreement.

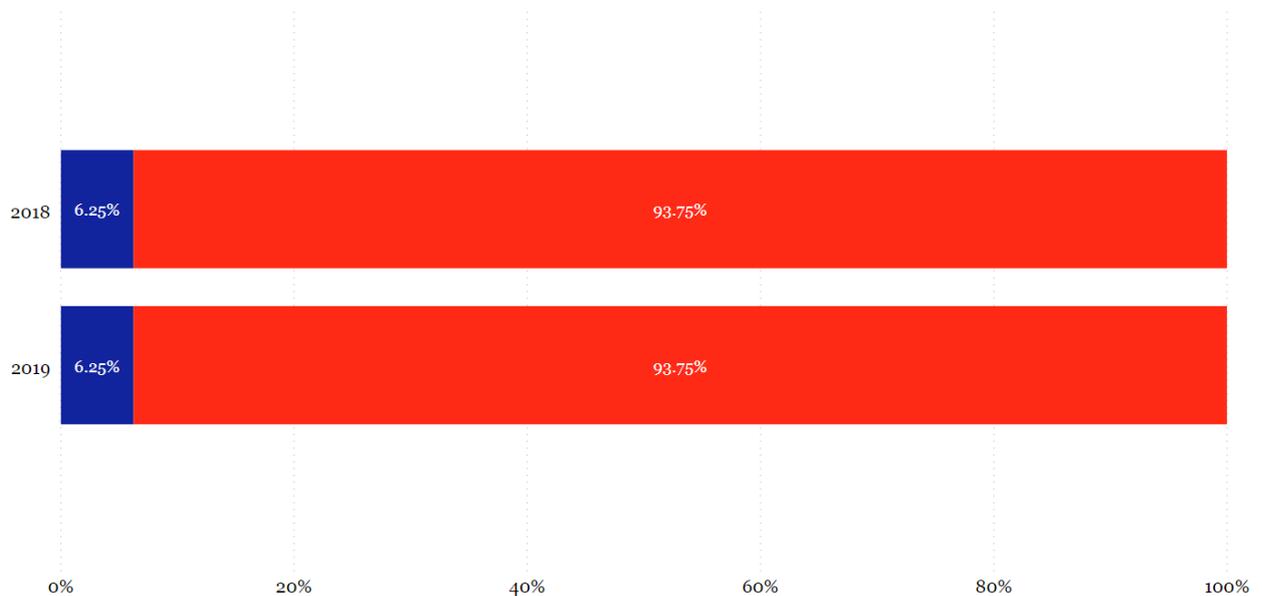


Graph 10: Implementation of Title II of the Agreement, 2019



Graph 11: Progress in the Implementation of Title II, 2018-2019

● Achieved ● Not Achieved



### Constitutional Reform, Inclusive National Dialogue, and the Implementation of the Agreement

The government's decision to make constitutional reform a precondition for decentralization, as called for in Title II, significantly hampered implementation in 2019. In its October 2018 report, the Independent Observer considered the process of revising the Feb. 25, 1992, constitution, initiated in 2018, a major step forward. This process, however, was halted, and in 2019 became tied to the holding of the National Inclusive Dialogue (DNI). The new connection between the DNI and the agreement - particularly the possibility that the agreement would be



revised through the DNI, and the CMA's rejection of this step – fueled mistrust and generated a climate of procrastination. As mentioned, the DNI was held in mid-December, with the participation of the CMA. Its recommendation to revise the agreement based on Article 65 appears to have considerably improved the negative atmosphere that plagued the last quarter of the year.

Yet, as in its previous report, the Independent Observer highlights the impact that a continuing political crisis could have on the further implementation of the agreement. The DNI was boycotted by part of the political opposition and took place largely without the participation of civil society. In the current climate of heightened political tension, the holding in the near future of parliamentary elections or a constitutional referendum – both recommended by the DNI – could risk aggravating or prolonging political and social tensions.

The government's current position is that constitutional reform is a prerequisite for the implementation of reforms stipulated in the agreement. For the Independent Observer, however, only the proposed establishment of a senate would require the revision of the constitution. **The other political and institutional reforms stipulated in the agreement could be implemented through the revision or reinterpretation of existing laws or through the adoption of new laws,** as was the case in the establishment of the regional police force. Nearly five years after the signing of the agreement, constitutional reform – an increasingly difficult task in the current political climate – need not be a precondition for the implementation of key political provisions of the agreement.

#### *Accumulated Delays and Deficiencies*

Although the Independent Observer notes that legislative and regulatory texts related to the agreement continue to be adopted, it must also highlight the large number of political and institutional reforms that have been initiated but not yet completed, including:

- Despite commitments made by the parties in the July 2019 Roadmap, the Interim Authorities are still not fully operational, in part because of the diminished presence of public administration and the lack of qualified personnel or formal banking in the north. In addition, Interim Authorities have not yet been appointed in three *cercles* and in the northern municipalities. As a reminder, the main missions of the Interim Authorities are to ensure basic services, guide development efforts, revise the voter lists, and prepare for the return of refugees.
- The decree transferring decentralized government services to the *Collectivités territoriales*, adopted in March 2019 as per Article 16, has still not been implemented.
- Launched in 2018, administrative redistricting (designed to increase the number of electoral districts in the National Assembly, as per Article 6) has not been finalized. This issue is pressing the newly created regions of Taoudeni and Menaka. Holding local elections without finalizing the redistricting would be inconsistent with the spirit of Article 6, yet at the same time those elections have been postponed since 2018.



- The government’s efforts to improve the representation of northerners in the public administration of the *Collectivités territoriales* or in the main national public services – as stipulated in articles 6 and 16 – are unclear.

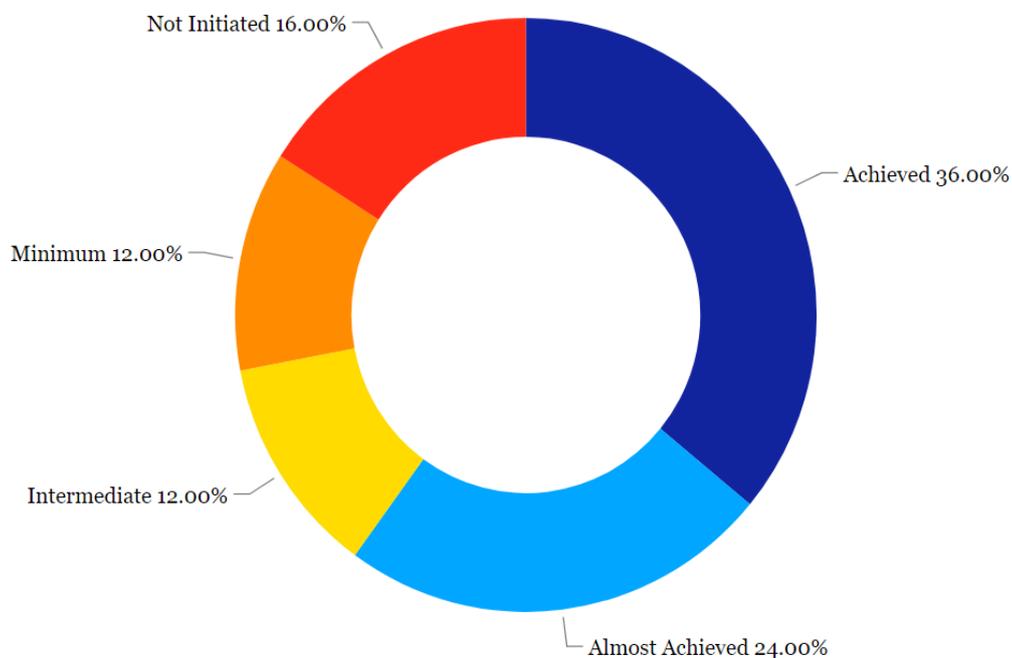
These accumulated failures have contributed to the stagnation or even regression of decentralization and politico-institutional reform as provided for in Title II.<sup>25</sup>

#### D. Defense and Security Issues

The Independent Observer notes the considerable delays in implementing the defense and security pillar of the agreement, despite growing security threats. For example, the plan to integrate 2,000 additional combatants from the Movements into the national defense forces by the end of 2019, although considered a priority in the July 2019 Roadmap, is not complete. This delay helps explain the worsening security situation and has considerably slowed the building of professional, effective security forces.

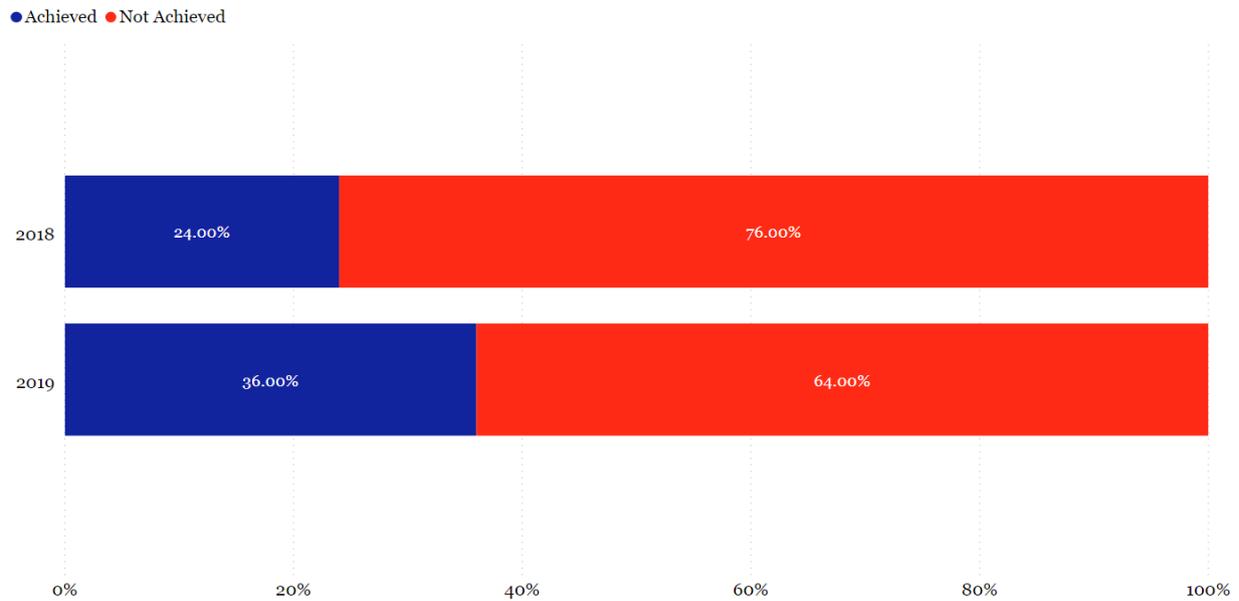
The Malian Parties’ long discussions on security-related issues produced relatively meager results in 2019. Of the 25 specific commitments under Title III, nine have been achieved (36%), up from six in 2018. **Overall, 64% of the commitments on defense and security issues have not been achieved.** The commitments that have been achieved mostly relate to the adoption of texts or the implementation of preliminary actions. Graphs 12 and 13 illustrate the status of implementation of Title III.

Graph 12: Implementation of Title III of the Agreement, 2019





Graph 13: Progress in the Implementation of Title III, 2018-2019



On a positive note, the National Commission for Disarmament, Demobilization, and Reintegration (CN-DDR) and the Integration Commission (CI) continued the accelerated DDR process this year. They reintegrated 668 ex-FAMA combatants back into the national defense and security forces. (However, the issue of Movement combatants identified by the government in early 2019 as “medically unfit,” among other problems, bogged down the accelerated DDR process for approximately six months.) In addition, the CN-DDR says that it has completed the registration process, begun in April 2018, of combatants eligible for the global DDR process. Further, in implementing the National Security Sector Reform Strategy (RSS), an action plan was adopted by the parties for 2019-2021, and, in September, the RSS Commission set up a permanent secretariat.<sup>26</sup>

Yet, at the end of 2019, multiple blockages in the security sector remained, including:

#### *Integration and Redeployment of MOC Combatants*

The accelerated DDR process aimed to train and integrate into the national defense forces 1,840 combatants from the Joint Operational Mechanism (MOC). To date, 1,340 combatants have left the training centers in two waves, on Sept. 2 and Nov. 30. Their full integration into the national defense and security forces was delayed until mid-December, however, and they have yet to be deployed to the north. After leaving the training centers and a leave of several days, the trained combatants were not regrouped until late December. Two major obstacles were at the root of this delay. First, despite the government decree in October establishing the procedures for assigning ranks to the Movements’ ex-combatants, further administrative steps, which must be taken individual-by-individual, were only completed by the government in December. Second, the FAMA general staff and the Movements continue to disagree about the sites for the redeployment of the integrated soldiers.



After several weeks of negotiations between the parties, the Technical Security Committee (CTS), at its Nov. 28 session, recommended a deployment plan for the integrated MOC combatants. In addition, the CTS recommended that the MOC combatants be officially and fully integrated; that their deployment in three battalions to their respective former sites in Gao, Timbuktu, and Kidal, in addition to a company in Ménaka, be carried out before the end of 2019; and, finally, that the MOC military staff be integrated into the FAMA general staff. It remains to be seen how quickly this plan, agreed upon by the parties, can be implemented.

### *Global DDR*

In its previous reports, the Independent Observer pointed out that the registration process for combatants in the general DDR process, which is crucial for peace in Mali, appeared endless. The Independent Observer highlighted the lack of financial and other means to integrate, or return to civilian life, the ever-increasing number of eligible combatants. It further cautioned that lengthy future negotiations about the global DDR process, along the lines of the delays in the accelerated DDR process, would further stall implementation. Currently, the number of pre-registered combatants is between 83,000 and 85,000.<sup>27</sup> The same concerns remain.

### *Security Sector Reform and the Reconstituted Army*

The Independent Observer notes that, despite the adoption of the National Security Sector Strategy and its action plan, significant differences remain between the government and the Movements about the contours of the reconstituted army. These disagreements relate mainly to differing evaluations of overall security requirements and the corresponding size of the future defense and security forces. The crux of the issue is the final number of Movement combatants to be integrated into the reconstituted army and the location of their future deployment. These disagreements could become more acute as the global DDR process approaches.<sup>28</sup>

### *Violation of Security Arrangements*

Despite repeated reminders by the CTS about the security arrangements agreed by the Malian Parties, the Movements continue to violate limitations on the movement of vehicle convoys (no more than five vehicles) and large-caliber weapons. In addition, the Movements continue to establish checkpoints throughout the north, with the central objective of robbing travelers. **According to multiple interlocutors, namely in the areas around Gao and Timbuktu, local-level Movement combatants, largely abandoned by their hierarchy, are mainly responsible for the rampant criminality in those zones.**<sup>29</sup>

### *Establishment of Counter-Terrorism Units*

Article 30 provides for the creation of Special Unit Battalions (BUS) to fight against terrorism and transnational organized crime. The creation of the BUS was among the parties' consensual conclusions at the December 2018 high-level workshop, in which the Movements' senior military leaders participated. **Despite the recommendations made to the government at that time, in 2019 there has been no significant progress on this initiative, even as Mali's security needs have grown significantly.**

Initial steps were taken in Gao, where in August two BUS companies completed training by the Barkhane Force. Another company, composed of both FAMA and integrated MOC combatants,



has also been created. The Movements objected to the inclusion of the MOC elements in the BUS, because the government made that decision without their approval and thus was contrary to the consensual nature of the DDR process. Alerted to the situation, the CTS recommended that the deployment of MOC combatants to the BUS, which indeed had not been approved according to its procedures, be halted. **Operational counter-terrorism collaboration between the parties in the field is not likely to occur in the short term.**

#### *E. Guarantees and Support from the International Community*

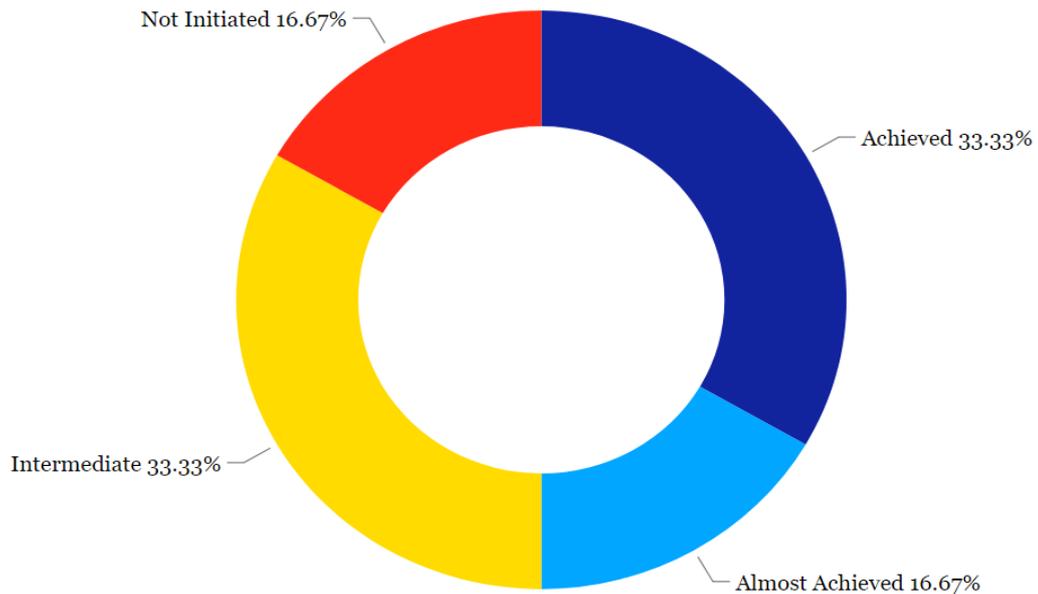
In its 2018 end-of-year report, the Independent Observer pointed out that “without a reinvigoration of this [Title VI] architecture – that is, that the CSA and the International Mediation not only monitor the parties’ progress, but also per articles 52 and 60 and the Pact for Peace assist to a larger degree in structuring implementation and facilitating progress – it will likely prove extremely difficult ... to avoid a gradual backsliding.”<sup>30</sup> Indeed, the declining effectiveness of the CSA remained a major concern in 2019 and had a significant impact on implementation as a whole.

If the number of commitments “achieved” by the international community now represents 33.3% (compared to 16.6% in 2018), it is mainly thanks to sanctions, consistent with Article 54, imposed by the U.N. Security Council. To date, however, the sanctions have not had a deterrent effect. **The general impression, gathered by the Independent Observer from the public as well as political actors, is that the sanctions have not targeted the actors capable of influencing the implementation process.** While the sanctions target both travel and financial assets, often they have been applied only to travel. **It is for these reasons that the Independent Observer recommended in its September report that, should there be continued delays in the DDR process, effective sanctions be applied against decision-makers.**

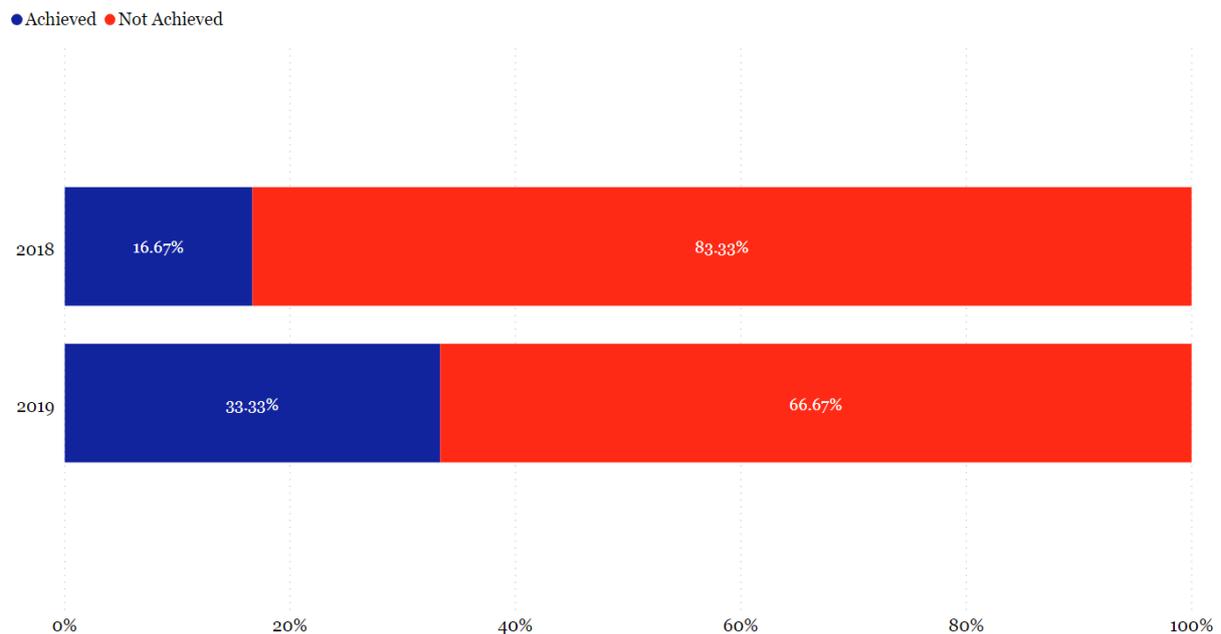
Turning to international support for development, at the end of 2018 the CSA announced its intention to monitor the support of international partners, in particular through its periodic review of development activities, as stipulated in Article 44. No such review took place in 2019. This shortcoming explains why, for the first time, the category “not initiated” appears in the assessment of the international community. Graphs 14 and 15 illustrate the status of implementation of the international community’s commitments.



Graph 14: Implementation of Title VI of the Agreement, 2019



Graph 15: Progress in the Implementation of Title VI, 2018-2019



The primary responsibility for implementation lies, of course, with the Malian Parties, as per Article 50. As a general matter, in 2019 members of the CSA and the international community largely confined their support for implementation to funding MINUSMA. The CSA organized formal sessions that often failed to arrive at concrete actions or decisions. **On the specific issues that impeded implementation in 2019 (e.g., the debate on Kidal, the controversy over the**



revision of the agreement, the delays in accelerated DDR, the paralyzing splits within the Platform, the establishment and functioning of the FDD and the Development Zone), the international community has generally been passive or has taken minimal action.

Nevertheless, the Independent Observer acknowledges that, in the face of accumulated blockages that virtually paralyzed overall implementation of the agreement, in November and December international stakeholders reinvigorated their efforts. The CTS took up the issue of defining the deployment plan for trained MOC combatants, while the Mediation undertook efforts to secure the CMA's renewed participation in the implementing bodies, thereby potentially relaunching the activities of the CSA in 2020.



## UNDERLYING FACTORS IMPEDING IMPLEMENTATION OF THE AGREEMENT

Over its two years of observation, the Independent Observer has endeavored to identify and propose potential responses to the immediate obstacles to implementation. Given the stagnation and regression in 2019, the Independent Observer also considers it necessary to highlight the underlying factors – some of which have, at times, been considered taboo – that more fundamentally undermine implementation. Without taking into account these complex factors, it will be difficult to change the current trajectory and advance the implementation of the agreement.

### ➤ *POSTURE OF PERMANENT NEGOTIATIONS*

The agreement is a framework text. In Article 2, the parties agreed to collaborate and act in good faith during its implementation. The Independent Observer has noted, however, that the parties have continued the adversarial approach that often characterized the negotiation of the agreement. **Rather than acting on consensual commitments or common interests, or considering the general interest of Malians, the government and the Movements maintain diametrically opposed starting positions on almost every point, which leads to endless negotiations.** Among myriad examples are the months-long negotiations on the Interim Authorities, the MOC, the registration of combatants for DDR, the management of the FDD, the deployment of the integrated MOC combatants, the adoption of texts concerning the *Collectivités territoriales*, and the organization of the Conference on National Understanding.

### ➤ *ABSENCE OF CIVIL SOCIETY FROM THE IMPLEMENTATION PROCESS*

Based on Article 51 of the agreement, the Independent Observer has stressed repeatedly the importance of the participation of civil society, especially women and youth, in the implementation process. The Independent Observer proposed establishing a dialogue between the CSA and representatives of civil society.<sup>31</sup> The U.N. Security Council has also stressed the need for women's participation in the implementation process. Neither the Malian Parties nor the CSA have taken these recommendations into account. The absence of actors external to the three signatory parties, combined with weak public communication and the lack of peace dividends, have contributed to increasing public distrust of the implementation process.

### ➤ *EXISTENCE OF AN ECONOMY LINKED TO THE AGREEMENT*

The protracted period of implementation has heightened the feeling, particularly in the public and the international community, that the agreement – instead of hastening the advance of peace and stability – has served to establish an economy linked to the agreement i.e., a situation of personal gain, perpetuated by the actors in the process. After the agreement was signed, the hosting of the Movements' representatives in Bamako was considered necessary to restore trust and ensure the efficiency of implementation. More than four years later, this arrangement is



increasingly seen as a never-ending burden imposed on the government and international partners. More generally, the expenses and needs of MINUSMA staff and other international actors related to the conflict (including the Independent Observer) constitute an important contribution to the Malian economy. Further, the MINUSMA bases in the central and northern regions offer employment opportunities for residents, partially alleviating grievances and supporting the local economy in areas mainly under the control of the Movements. In short, there are economic incentives for gradualism, which partly explains the extremely slow pace of implementation.

➤ LACK OF HORIZON FOR THE TRANSFORMATION OF THE MOVEMENTS INTO POLITICAL ACTORS

Although periodically and individually, members of the CMA and the Platform have approached the Independent Observer for information on the experiences of rebel groups who have made the transition from military movements to political parties, the Movements have not yet demonstrated a systematic approach or discernible effort on this issue. A dissolution of the armed Movements through an effective DDR process, accompanied by capacity building and transformation of their leaders into political actors able to champion the ideas and grievances of their communities through political means, would build public confidence in the agreement. It could also accelerate cooperation and solidarity between regions, as Malians may find that disappointment in governance and in the lack of services is not unique to a group or region. The call in September by the head of the HCUA to “all other like-minded movements to merge into a single political movement capable of addressing people’s concerns” may be a positive step in this direction.

➤ PERCEPTION OF BLURRED LINES BETWEEN SIGNATORY MOVEMENTS AND TERRORIST ACTORS

The Independent Observer recalls the commitments made by the Malian Parties in Chapter 11 (articles 29 and 30) to combat terrorism, including its interrelationship with organized crime and drug trafficking. In this context, the Independent Observer notes the persistent allegations, collected in Bamako and during its multiple field missions in central and northern Mali, of links between certain signatory parties and terrorist actors. The official position taken by Niger – which has been the target of terrorist attacks and which specifically accused the HCUA – as well as reports analyzing the commercial links between the CMA and the Platform and terrorist and criminal groups, are noteworthy.<sup>32</sup> The latest report of the United Nations Sanctions Committee’s Group of Experts also covers extensively the links between the Movements and terrorism.<sup>33</sup>



## RECOMMENDATIONS

### *A. Implementation of the Independent Observer's Recommendations*

In accordance with its mandate as defined in Article 63 of the agreement, the Independent Observer has formulated 49 recommendations in its five previous reports. Several recommendations have been taken up by stakeholders, including three (6%) implemented fully and eight (16%) implemented partially.

On the one hand, recommendations that have been implemented or partially implemented include:

- ✓ In October 2019, the creation of the Joint Government-Partners Commission (recommendations made in October 2018 and September 2019)
- ✓ In October 2019, the creation of the Inter-Ministerial Commission to monitor the implementation of the agreement (recommendations made in October 2018, April and September 2019)
- ✓ In September 2019, the effort to hold the CSA session outside of Bamako and the re-consideration of the CSA's approach (recommendations made in October 2018)
- ✓ Steps toward the establishment of a women's observatory of implementation (recommendation on civil society's participation in implementation in May and October 2018)

On the other hand, other recommendations, particularly those likely to increase public confidence in the implementation process, have so far not been implemented. Among these:

- The signatories conduct a coordinated communication and awareness campaign in support of the agreement (recommendation in May 2018 and September 2019)
- Supported by the Mediation, the issue of the presence of the state and public services in Kidal be rapidly addressed (recommendation in April, September 2019)
- The Mediation revive its role in accordance with articles 52 and 60 (recommendation in October 2018)
- The deployment of MOC combatants integrated into the defense and security forces take place as soon as possible (recommendation in September 2019)
- The Movements participate fully in the internal management structures of the FDD (recommendation in September 2019)

The Independent Observer proposed the establishment of a mechanism through which Malian or international parties could examine systematically its recommendations. In July, the president of the CSA proposed that the respective subcommittees study the Independent Observer's



recommendations and regularly report on them to the CSA plenary. To date, this has not occurred. The Malian Parties have expressed their openness to implementing the recommendations and requested meetings with the Independent Observer to discuss practical steps forward. A first exchange occurred in August, under the aegis of the minister for social cohesion. During that session, the parties expressed their intention to collaborate in implementing a number of recommendations in order to advance implementation. The Independent Observer is not aware, however, of any follow-up from the August meeting.

### *B. Specific Recommendations for 2020*

The following recommendations stem from the Independent Observer's observations since 2018. They attempt to define concisely a series of concrete actions, by specific actors, that would place implementation on more solid footing. The Independent Observer considers the recommendations to be realistic and believes they could be implemented within a year; for many, the timeframe could be much shorter, between three and six months. Multiple recommendations include proposed timetables – the purpose of this is to highlight to the public the real possibility of meaningful action by the parties in the short- to medium-term. Overall, the recommendations aim for broader objectives than those set in Resolution 2480 (June 2018) and the July 2019 Roadmap.

#### ❖ IMPROVE THE OVERALL APPROACH TO IMPLEMENTATION

1. The government should operationalize fully the new implementation structures and grant them more authority than previous, similar organs. Their effectiveness should be judged based upon the efficacy of the implementation process.
2. The CSA should fulfill its mandate more completely, as defined in Article 60. It should devote a specific session to redefining its working methods.
3. The International Mediation should play its political role more effectively in accordance with articles 52 and 53.
4. The president of the CSA and the members of the Mediation should meet regularly with the prime minister, and when necessary with the president, to review the agreement implementation process and address pending critical issues. It is important that the results of these discussions be communicated to the public.

#### ❖ THE MALIAN POPULATION TAKES OWNERSHIP OF THE AGREEMENT AND THE MALIAN PARTIES STRENGTHEN THEIR COMMUNICATION IN FAVOR OF THE AGREEMENT

5. The government and the leaders of the Movements should organize, by the end of February 2020 at the latest, joint public actions in Bamako and in the regional capitals to reaffirm their commitment to the implementation of the agreement. These actions should be part of a communication strategy to foster public ownership of the agreement's key objectives. It should



be noted that one of the conclusions of the Inclusive National Dialogue also recommends such actions.

❖ *DEPLOY AND RENDER OPERATIONAL THE FIRST UNITS OF THE  
THE RECONSTITUTED ARMY*

6. By the end of February 2020 at the latest, the government should complete the deployment of the 1,340 ex-MOC combatants. To this end, the government should: (i) finalize the necessary texts for the full integration, including the assignment of ranks and other benefits, to the ex-combatants; (ii) take the necessary measures to implement the deployment plan agreed upon at the Nov. 28 session of the CTS, including the deployment of the combatants to the north.

7. No later than April 2020, the government and the Movements should agree on the make-up, needs, and size of the reconstituted defense and security forces in order to facilitate the general DDR process. This agreement should be made public.

❖ *CARRY OUT CONCRETE AND IMMEDIATE DECENTRALIZATION MEASURES*

8. The government, without waiting for the revision of the constitution, should present, by June 2020 at the latest, concrete measures and a detailed timetable for decentralization.

Specifically, the government should take exceptional measures to recruit, train, and build the capacity of local personnel in the northern regions in order to address the lack of public services, especially in critical areas such as education, water, and health.

Secondly, the government should transfer the decentralized state services to the *Collectivités territoriales*, including the Interim Authorities.

❖ *INTEGRATE CIVIL SOCIETY INTO THE IMPLEMENTATION PROCESSES*

9. The CSA should identify as soon as possible a definitive solution to this issue, to which the U.N. Security Council and the Independent Observer have time and again called attention. International partners have made themselves available to support financially a number of civil society actors, particularly women, in order to facilitate their participation in the implementation process.

❖ *UNDERTAKE SHORT-TERM ACTIONS TO SUPPORT DEVELOPMENT  
IN THE NORTH*

10. Before April 2020, the government should make the FDD operational by completing the establishment and functioning of inclusive mechanisms and clarifying how the fund is to be financed.



11. Before April 2020, the International Mediation should organize a meeting between the heads of the government and the Movements in order to settle definitively the issue of the return of government services and administration in Kidal.

❖ *REINVIGORATE JUSTICE, RECONCILIATION, AND HUMANITARIAN ACTIONS*

13. Before July 2020, the government and the Movements, with the support of development partners and MINUSMA, should ensure the return of government justice officials to Kidal. The deployment of the reconstituted army to Kidal, as per the CTS' recommended deployment plan, could guarantee the protection of these officials. At the same time, the government should prioritize the integration of the *cadis* in the administration of justice.

14. The CSA should organize an extraordinary session, with the participation of the heads of the signatories and the actors mentioned in Article 51, dedicated exclusively to Title V of the agreement, including justice and humanitarian issues.

15. In the regulations implementing the Law on National Understanding, the government should clarify the principle of non-amnesty for war crimes, crimes against humanity, and serious human rights violations.



## NOTES

<sup>1</sup> Based in Washington, D.C.

<sup>2</sup> Based in Brazil.

<sup>3</sup> Some acronyms are listed according to the common French usage.

<sup>4</sup> The Independent Observer notes that Article 50 of the agreement states: “The Parties to the Agreement recognize that the primary guarantee of the outcome of the Agreement rests in their sincerity, good faith, and commitment to take on the contents of the Agreement and to work to implement all of its provisions in the interests of achieving reconciliation in their country, as well as peace, security, and stability in Mali and the overall region.”

<sup>5</sup> In order to better measure and reflect progress in the implementation of the agreement, the number of indicators has in some cases been slightly modified or their content redefined. For example, this is the case for several commitments for which evaluation in 2018 focused on the establishment of a mechanism, rather than its actual functioning.

<sup>6</sup> Notably in Talataye (July 3), Lerneb (July 19), and Inchananene (Dec. 21).

<sup>7</sup> This step was followed by the signing of a governance agreement between the new executive and part of the political opposition.

<sup>8</sup> The U.N.’s Humanitarian Response Plan (July 31, 2019) cites 600 deaths in the first six months of 2019. As of December 2019, OCHA reports 1,629 civilians killed since the start of the year (reported to Protection Cluster).

<sup>9</sup> See, e.g.,

(i) [www.un.org/press/fr/2019/cs13756.doc.html](http://www.un.org/press/fr/2019/cs13756.doc.html)

(ii) [www.crisisgroup.org/fr/africa/sahel/mali/centre-du-mali-enrayer-le-nettoyage-ethnique](http://www.crisisgroup.org/fr/africa/sahel/mali/centre-du-mali-enrayer-le-nettoyage-ethnique)

(iii) [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24418&angID=Enews.un.org/en/story/2019/03/1035661](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24418&angID=Enews.un.org/en/story/2019/03/1035661)

(iv) [www.lefigaro.fr/international/2019/03/25/01003-20190325ARTFIG00095-au-centre-du-mali-les-violences-contre-les-peuls-tournent-a-l-epuration-ethnique.php](http://www.lefigaro.fr/international/2019/03/25/01003-20190325ARTFIG00095-au-centre-du-mali-les-violences-contre-les-peuls-tournent-a-l-epuration-ethnique.php)

(v) [www.lemonde.fr/afrique/article/2019/04/14/au-mali-le-monstre-du-terrorisme-ethnique-a-ote-plus-de-vies-que-le-djihadisme\\_5450086\\_3212.html](http://www.lemonde.fr/afrique/article/2019/04/14/au-mali-le-monstre-du-terrorisme-ethnique-a-ote-plus-de-vies-que-le-djihadisme_5450086_3212.html)

<sup>10</sup> Final reports of the Group of Experts established pursuant to Security Council Resolution 2374 (2017) on Mali and extended by Resolutions 2432 (2018), (August 2018, August 2019).

<sup>11</sup> See, <https://news.un.org/fr/story/2019/12/1057751>.

<sup>12</sup> Letter dated Sept. 17, 2018, from the prime minister clarifying the mandate of the Ministry of Social Cohesion, Reconciliation, and Peace and affirming that the latter has authority over the structures and means dedicated to the agreement.

<sup>13</sup> Decree 2019-0810 of Oct. 9, 2019, on the creation, organization, and operational procedures of the Inter-Ministerial Commission for the coordination of actions to implement the agreement; Decree 2019-0811 of Oct. 9, 2019, on the creation, organization, and operational procedures of the joint Government-Development Partners Commission for the coordination of the implementation of the agreement.

<sup>14</sup> Previous efforts include the establishment of the Office of the High Representative of the President of the Republic for the implementation of the agreement and the mandate of the Ministry of Social Cohesion through the above-mentioned letter from the prime minister.

<sup>15</sup> For a better understanding of the statistical components in this report, note that several commitments have been assessed in the past on the basis of the completion of preliminary stages, such as the adoption of texts or the initial establishment of mechanisms. These commitments were, or should have been, in an operational phase in 2019, and have been evaluated on that basis. Similarly, the fulfilment of certain commitments may be reversible. These factors could explain the variation or regression of the figures.

<sup>16</sup> A number of commitments classified as “intermediate” in 2018 have been upgraded to “nearly completed” in 2019 (on the other hand, others have been downgraded to “minimum”).

<sup>17</sup> Roadmap of Priority Actions in the Implementation of the Agreement for Peace and Reconciliation in Mali, resulting from the Algiers Process, by the end of 2019 (July 12, 2019).

<sup>18</sup> These stipulations are: (i) constitutional reform; (ii) review of the law establishing the Code of Local and Regional Authorities; (iii) transfer of decentralized state services; (iv) transfer of 30% of state resources; (v) adoption of the law establishing a territorial police force; (vi) design of the reconstituted and reformed defense and security forces; (vi) training of at least 3,000 members of the armed movements; (vi) comprehensive plan for the



redeployment of the reconstituted forces ; (vii) reform of the security sector; (viii) establishment of the Northern Regions Development Zone; (ix) operationalization of the FDD and inclusive management mechanisms based on a pilot project designed jointly by the parties and civil society; and (x) full participation of women in the established mechanisms.

<sup>19</sup> See, report of the Independent Observer (April 2019).

<sup>20</sup> The government's assessment of the implementation of this plan has been requested several times by the subcommittee covering Title V (and also recommended by the Independent Observer in its April 2019 report). Despite this inaction, to the Independent Observer's knowledge, neither the CSA plenary nor the Mediation nor other Technical Partners have intervened to support a prioritization of judicial issues, despite the significant support provided by international partners to justice reform.

<sup>21</sup> The presence of magistrates in the north is currently as follows: Niafouké (1); Gourma-Rharous (1); Timbuktu (4); Dire and Goundam (0); Gao region (7); Kidal, Taoudeni and Menaka regions (0).

<sup>22</sup> As of November 2019, there were 340,088 IDPs along with 276,000 out of school children and 1,051 closed schools (Report of the Commission on Population Movement [Dec. 19, 2019] and OCHA Report [Dec. 6, 2019]).

<sup>23</sup> See, report of the Independent Observer (September 2019).

<sup>24</sup> *Ibid.*

<sup>25</sup> In addition, the lack of implementation of certain political commitments prevents the realization of other central provisions of the agreement. This is the case for the absence of the presidents of the Regional Assemblies (for whom no elections are planned), who should be the leaders of the Development Zone, which is itself not yet operational.

<sup>26</sup> Within the framework of the security sector reform, in addition to the decree creating the Consultative Security Committees, several other decrees were also adopted, including: Decree 2019-001/P-RM creating the army; Decree 2019-002/P-RM creating the air force; Decree 2019-008/P-RM creating the national police; and Decree 2019-003/P-RM creating a civilian protection force

<sup>27</sup> The figures have increased as follows: 32,902 (quoting from the Independent Observer's report of February 2019); 63,000 (*idem*, April 2019); 74,000 (*idem*, September 2019).

<sup>28</sup> See, note 27.

<sup>29</sup> During interviews with various interlocutors in Timbuktu, Kidal, and Bamako, it emerged that in general the Movements do not provide significant support to their combatants.

<sup>30</sup> See, the report of the Independent Observer (February 2019).

<sup>31</sup> The proposed establishment of a women's observatory, under the aegis of MINUSMA, could contribute to a solution to this concern. As of the end of 2019, the observatory was not yet functional.

<sup>32</sup> See, e.g., *Extrémisme violent, criminalité organisée et conflits locaux dans le Liptako-Gourma*, Institute for Security Studies (ISS) (décembre 2019).

<sup>33</sup> Final report of the Group of Experts established pursuant to Security Council Resolution 2374 (2017) on Mali and extended by Resolution 2432 (2018), (August 2019).



## Annex – Recognition of Selected Interlocutors

The Independent Observer wishes to thank its Malian and international interlocutors for their availability and support, which were critical to the fulfillment of its mandate; a selection of interlocutors since 2018 is listed below.

### I. Malian parties

#### a. Government of Mali, including the following services involved in the implementation and follow-up of the agreement

- Chief of Staff of the FAMA
- Commission for Truth, Justice, and Reconciliation (CVJR)
- Directorate-General of *Collectivités territoriales*
- Directorate-General of Territorial Development
- Embassy of the Republic of Mali in the United States of America
- Governors (Gao, Kidal, Menaka, Timbuktu, and Taoudeni)
- High Representative of the President of the Republic for the Implementation of the Agreement on Peace and Reconciliation
- Interim Authorities (Gao, Kidal, Menaka, Taoudeni, Timbuktu)
- Mayor of Mopti
- Mediator of the Republic and President of the National Conference of Understanding (*Entente nationale*)
- Ministry of Defense and Veterans
- Ministry of Economy and Finance
- Ministry of Foreign Affairs, International Cooperation
- Ministry of the Diaspora and African Integration
- Ministry of Justice
- Ministry of Land Management and Population
- Ministry of Security and Civil Protection
- Ministry of Social Cohesion, Peace, and National Reconciliation
- Ministry of Territorial Administration and Decentralization
- Office of the Prime Minister
- Permanent Mission of Mali to the United Nations
- Special Advisors to the Governors

#### b. Signatory movements

- Coalition of People for Azawad (CPA)
- Coordination of Azawad Movements (CMA)



- Coordination of Movements and Patriotic Front of Resistance (CMFPR-II)
- Platform of Movements – Algiers Declaration, June 14, 2014

## II. Institutions and mechanisms established by the agreement

- Integration Commission (CI)
- International Investigative Commission (CEIM)
- International Mediation
- Operational Coordination Mechanisms (MOC)
- Monitoring Committee (CSA) and its subcommittees
- National Commission for Disarmament, Demobilization, and Reintegration (CN-DDR)
- National Commission for the Reform of the Security Sector (CN-RSS)
- Technical Security Committee (CTS)
- U.N. Security Council Sanctions Committee established per Resolutions 2374 (2017) and 2432 (2018), and its Group of Experts

## III. International community

### a. Diplomatic representations in Mali

- Embassy of Burkina Faso
- Embassy of Canada
- Embassy of the Federal Republic of Germany
- Embassy of the Federal Republic of Nigeria
- Embassy of the Grand Duchy Luxembourg (Dakar, Senegal/Bamako, Mali)
- Embassy of the Islamic Republic of Mauritania
- Embassy of the Kingdom of Belgium
- Embassy of the Kingdom of Denmark
- Embassy of the Kingdom of Netherlands
- Embassy of the Kingdom of Norway
- Embassy of the Kingdom of Sweden
- Embassy of the People's Republic of Algeria
- Embassy of the People's Republic of China
- Embassy of the Republic of France
- Embassy of the Republic of Niger
- Embassy of the Russian Federation
- Embassy of Switzerland
- Embassy of the United Kingdom



- Embassy of the United States of America

**b. Organizations from countries partnering with Mali**

- Global Affairs Canada
- Department for International Development (DFID)
- Department of State of the United States
- *Die Bundesregierung*
- Ministry of Foreign Affairs of the Kingdom of Denmark
- Ministry of Foreign Affairs of the Republic of Germany
- Ministry of Foreign Affairs of the Republic of France
- Ministry of Foreign Affairs of the United Kingdom
- Permanent Mission of Canada to the United Nations
- Permanent Mission of the Kingdom of Sweden to the United Nations
- Permanent Mission of the People's Republic of Algeria to the United Nations
- Permanent Mission of the Republic of France to the United Nations
- President of Niger
- Prime Minister of Niger

**c. Intergovernmental organizations**

- Delegation of the European Union in Mali
  - European Union Capacity Building Mission in Mali (EUCAP Sahel-Mali)
  - Economic Organization of West African States (ECOWAS)
  - Mission of the African Union for Mali and the Sahel
  - Special representative for the European Union for the Sahel (RSUE)
  - United Nations
    - Assistant Secretary-General for Peacebuilding Support
    - Bureau for the Coordination of Humanitarian Affairs (OCHA)
    - Department of Peacekeeping Operations (DPKO)
    - Department of Political Affairs (DPA)
    - Under-Secretary-General for Peace Operations
    - United Nations Foundation
- MINUSMA
- Special Representative of the Secretary-General
  - Deputy Special Representatives of the Secretary-General
  - Force Commander
  - Deputy Force Commander
  - Civil Affairs Division
  - Disarmament, Demobilization, and Reinsertion/Security Sector Reform Unit (DDR/SSR)



- Gender Division
- Human Rights Division
- Mediation Support Unit
- MINUSMA’s Regional Offices
- MOVCON
- Political Affairs Division
- Stabilization and Recovery Unit

#### IV. Political parties and leaders

- Convention of the Presidential Majority (CMP)
- Inclusive National Dialogue (DNI)
- Opposition political parties and their representatives

#### V. Civil society

- Azawad Women’s Association
- Association of Women for Peace Initiatives (AFIP)
- Civil Society Citizen Coalition for Peace, Unity, and National Reconciliation in Mali (CCSC/PURN)
- National Coalition for Peace and the Fight against the Proliferation of Light Weapons (CONASCIPAL)
- *Collectif des ressortissants du nord du Mali* (COREN)
- National Youth Council (CNJ)
- National Council of Civil Society in Mali (CNSC)
- Regional Youth Council (Gao, Timbuktu, Menaka)
- Civil Society Coordination (Mopti)
- Coordination of Women’ Associations and NGOs of Mali (CAFO)
- Coordination of Women’ Associations of Azawad (CAFA)
- Regional coordination of radio broadcast and independent radios in Mali (URTEL)
- *Djina Dogon*
- Force G
- High Islamic Council of Mali
- Institute of Security Studies (ISS)
- Malian Institute of Action Research for Peace (IMRAP)
- Media
- Members, *Notables* (Gao)
- *Tabital Pulaaku Mali*
- Union of the Youth of Azawad
- Youth of Mali National Network (RENAJEM)



## VI. Other Actors

- Amnesty International (Mali)
- Operation Barkhane
- Centre for Humanitarian Dialogue (HD)
- Centre for Strategic and International Studies (CSIS)
- Cultural Center Toumasta
- Conflicts and Peace in Africa
- *Cooperation Sud Organisation* – Mali (CSO)
- Danish Institute for Human Rights (DIHR)
- Friedrich Ebert Foundation
- *Gesellschaft für Internationale Zusammenarbeit* (GIZ)
- G-5 Sahel
- Maison du Droit
- Institute for Security Studies
- International Crisis Group
- International Movement of the Red Cross and Red Crescent
- Promediation
- Sahel and West Africa Club/OECD