

Benchmarks for monitoring the implementation of the Agreement on Peace and Reconciliation in Mali
(Original: French)

1. Political and institutional matters: Significant progress in the implementation of an institutional architecture designed to guarantee the participation and inclusion of all Malian citizens and enable the restoration of State authority throughout the country				
Objectives	Progress indicators	State of implementation	Deadline	Comments
1.1 Establish an institutional architecture based on the principle of free administration and increased representation of communities within national institutions	1.1.1 The interim authorities responsible for the administration of municipalities (communes), districts (cercles) and regions in the north are operational	Partially implemented	2017	The interim authorities established in the regions are operational
	1.1.2 The Government of Mali has established territorial communities, elected through universal suffrage and with extensive authority, by amending Act No. 93-008 on free administration and Act No. 2012-006 on the administrative organization of the territory	Ongoing	2017	The signatory movements have requested the revision of the Code on Territorial Communities and of the Law on Free Administration for Territorial Communities to take into account the political and institutional provisions of the Agreement for Peace and Reconciliation <i>(The new roadmap for the implementation of the timeline of priority actions, adopted on 22 March 2018, provides for the revision to take place after the presidential elections and before the regional, local and communal elections)</i>

	1.1.3 For every region the Government has established a Regional Assembly, elected by direct universal suffrage, to which authorities and resources have been transferred	Ongoing	2017	A lack of consensus remains between the Government and the signatory movements, inter alia, on the hierarchy between the Governor and the President of the Regional Council
1.2 Define the authorities of territorial communities by specifying their respective roles and responsibilities, and those of the State	1.2.1 The Government has ensured that each region is able to establish and manage collective infrastructure and basic social services	Implemented		
	1.2.2 Every region has developed an economic, social and cultural development plan and will be responsible for land management	Implemented		
	1.2.3 Every region is responsible for establishing and implementing a tax system suited to its economic structure and development objectives, in accordance with current legislation	Ongoing		In February 2018, a draft decree was elaborated to determine the modalities for the transfer of decentralised services of the State and related resources to local authorities within their fields of competence. This draft decree is the result of a consultation between the Ministry of Territorial authorities, the signatory movements and social partners

2. Defence and security aspects:

Implementation and progressive functioning of inclusive defence and security forces that are accountable to citizens and comply with human rights and the rule of law, thereby strengthening national cohesion and contributing to the promotion of regional security

Objectives	Progress indicators	State of implementation	Deadline	Comments
2.1 Implement reform of the security and defence sectors	2.1.1 Decrees are adopted defining the make-up, role and operation of the National Disarmament, Demobilization and Reintegration Commission, the Commission on Integration and the National Council for Security Sector Reform	Implemented		
	2.1.2 The National Disarmament, Demobilization and Reintegration Commission, the Commission on Integration and the National Council for Security Sector Reform are established in an inclusive manner and are operational	Implemented		
	2.1.3 The National Disarmament, Demobilization and Reintegration Commission, the Commission on Integration and the National Council for Security Sector Reform have developed a new national vision of defence and security, taking relevant local, national and international factors into account	Ongoing		<p>The Security Sector Reform Commissariat organized a workshop from 6 to 8 February 2018, for the review of the preliminary draft of the National strategy for Security Sector Reform (SSR) ahead of the high-level meeting on the topic planned for the end of March</p> <p>The National strategy for combating terrorism, violent extremism and the prevention of violent extremism was adopted by presidential decree on 26 February 2018</p>

2.2 Implement cantonment and disarmament, demobilization and reintegration programmes for combatants, in accordance with the guiding principles of the Agreement on Peace and Reconciliation in Mali and in keeping with international standards	2.2.1 The National Disarmament, Demobilization and Reintegration Commission has drawn up a national disarmament, demobilization and reintegration and cantonment programme, with the support of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) and other partners	Implemented		
	2.2.2 The Commission on Integration has set up a support programme, which defines the measures necessary for the reintegration of ex-combatants and takes into account cross-cutting issues (gender, human rights and the protection of civilians)	Ongoing		The Malian parties agreed on all the criteria for integration and the quotas of combatants to be integrated into the internal security forces (police, gendarmerie, national guard, customs etc.). However, discussions continue on the quotas for integration into the Malian armed forces
2.3 Reconstitute and progressively redeploy defence and security forces throughout national territory	2.3.1 The Technical Commission on Security and the Operational Coordination Mechanism have submitted an implementation plan for security arrangements in the north, with the deployment of joint patrols to provide security for the cantonment and disarmament, demobilization and reintegration process	Implemented		

	<p>2.3.2 Under the aegis of the Operational Coordination Mechanism, joint units of combatants from signatory parties and the defence and security forces, including special counter-terrorist units, are operational and carrying out joint patrols that contribute to the restoration of security</p>	Partially implemented	First half of 2018	<p>Establishment of the MOC Battalion in Gao; the joint units are not fully operational due to the lack of heavy weapons</p> <p>Complete rehabilitation of the equipment of the MOC camps in Kidal and Timbuktu by MINUSMA</p> <p>The installation of MOC elements, vehicles and heavy armament will be carried out according to the timetable validated at the 23rd session of the CSA (15 and 16 January 2018)</p>
	<p>2.3.3 The gradual redeployment throughout Mali of reconstituted defence and security forces is in effect and guarantees that security and public order are maintained</p>	Ongoing		<p>Planning is ongoing for the elaboration of the Plan for the reconstitution and redeployment of the Malian defence and security forces between the signatory parties</p> <p>Initial proposals are expected to be presented at the high-level meeting on SSR, scheduled at the end of March</p>
<p>3. Humanitarian assistance, socioeconomic and cultural development and the provision of basic social services:</p> <p>Establishment of structures and mechanisms designed to achieve inclusive, participatory and sustainable local development</p>				
Objectives	Progress indicators	State of implementation	Deadline	Comments

<p>3.1 Create the conditions necessary to facilitate the return, repatriation, resettlement and socioeconomic reintegration of all displaced persons and refugees; enable communities to benefit from peace dividends; and strengthen social cohesion and humanitarian assistance</p>	<p>3.1.1 Establishment of monitoring mechanisms for displaced persons and refugees, in accordance with regional and international instruments</p>	<p>Ongoing</p>	<p>On 24 February 2018, a high-level regional meeting on the voluntary repatriation of Malian refugees took place in Niamey, Niger on the voluntary repatriation of Malian refugees. This meeting between the Governments of Mali, Burkina Faso, Niger and Mauritania and the Office of the United Nations High Commissioner for Refugees (UNHCR), as well as the UNHCR regional Office for West and Headquarters Africa, served as a framework for a detailed assessment of the opportunities for repatriation in light of security and protection concerns, and of the refugees' intentions to return</p> <p>The Commission <i>Mouvements de Populations</i> recorded 17,698 newly displaced persons from October 2017 to January 2018, following community tensions in the regions of Ménaka, Gao and Timbuktu. In addition, 10,571 displaced persons returned to their communities of origin during the same period</p> <p>The registration mechanism for repatriated persons has been strengthened on 28 registration points through the use of innovative tools (electronic tablets) for collecting, processing and disseminating statistical data. This approach will determine the profile, the number, the vulnerability, the needs for protection, and above all facilitate the obtaining of civil</p>
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	3.1.3 With the support of humanitarian and development partners under the 2015-2017 emergency humanitarian plan and the United Nations Development Assistance Framework, peace dividends are brought to communities in order to reduce socioeconomic disparities among regions, with increased access to basic services in the poorest regions	Ongoing		Finalization of UNDAF + mid-term Review report in February 2018
3.2 Mobilize the resources necessary to implement the specific development strategy for the northern regions of Mali	3.2.1 Establishment of a northern development zone with an Interregional Advisory Council, comprising representatives of Regional Assemblies, and with a specific development strategy relevant to the sociocultural and geographic realities and the climate of the region	Ongoing	The development zone's governance bodies will be established once the new regional councils have been established	Following a consultation at the end of December 2017, it was agreed that the Ministry of Spatial Planning and Population would consult the signatory movements to define the modalities for the creation and implementation of the development zone
	3.2.2 Establishment of a sustainable development fund, comprising the resources pledged during the International Conference for the Economic Recovery and Development of Mali, held in October 2015, with the support of technical and financial partners	Ongoing	2017	The process is still ongoing
	3.2.3 Establishment of a regional development agency in each region for programme management and monitoring implementation of the commitments undertaken by the Government to benefit the regions, under the authority of the President of the Regional Assembly	Partially implemented		Regional development Agencies are in place in each of the northern regions, except for Taoudénni and Ménaka. Drafting of the bills on the creation of regional development agencies in Taoudénni and Ménaka. The bills are expected to be promulgated during the first quarter of 2018.

	3.2.4 Programme agreements are concluded between the State and the regions for the implementation of multi-year investment programmes, with the participation of the territorial communities concerned	Ongoing	2016	Development and adoption of priority action plans by the interim authorities in the five northern regions for a total amount of \$75 million, of which 16 percent are state-funded.
4. <u>Justice and reconciliation:</u> Prevent impunity and promote genuine national reconciliation by ensuring legal and judicial assistance and access through the implementation of transitional justice mechanisms and comprehensive justice sector reform, in accordance with international norms and standards				
Objectives	Progress indicators	State of implementation	Deadline	Comments
4.1 Organize a national reconciliation conference on the underlying causes of the conflict	4.1.1 An inclusive national reconciliation conference on the underlying causes of the conflict is organized, with the support of the Agreement Monitoring Committee, to ensure genuine national reconciliation	Implemented		
	4.1.2 A charter for peace, unity and national reconciliation is drawn up on the basis of consensus and based on the outcomes of the national reconciliation conference	Partially implemented		<p>On 31 December 2017, the President of the Republic announced that the Charter for Peace, Unity and national Reconciliation would serve as a reference document for the drafting of a national understanding bill that would grant amnesty to all those involved in an armed rebellion but who did not commit violent crimes.</p> <p>However, the CMA rejected the Charter as it currently stands.</p>

4.2 Establish transitional justice mechanisms	4.2.1 The Truth, Justice and Reconciliation Commission is operational and has regional offices throughout the country	Partially implemented		<p>The Truth, Justice and Reconciliation Commission undertook an evaluation mission to Kidal in view of the opening of its last regional antenna.</p> <p>The CVJR recorded a total of 7,588 statements.</p>
	4.2.2 An international commission of inquiry is established and operational	Implemented		<p>The international commission of inquiry was officially established on 23 January 23, 2018 by the Secretary-General of the United Nations. The three commissioners who compose it have also been appointed.</p> <p>Ambassador Bo Gaoussou Diarra, retired magistrate, was appointed as focal point of the International commission of Inquiry on 29 December, 2017, by the Malian authorities.</p>

<p>4.3 Reform the justice system and strengthen the rule of law in order to enhance traditional and informal justice mechanisms, improve access to justice for perpetrators and victims, and end impunity</p>	<p>4.3.1 The justice system is strengthened to bring justice closer to perpetrators and victims</p>	<p>Ongoing</p>	<p>The security situation continues to constrain a number of magistrates to be temporarily established in other jurisdictions.</p> <p>The holding of the Mopti Court of Appeal in December 2017 and the holding of hearings in the northern regions, including Gao and Timbuktu, reflect efforts to support respect for the rule of law and to combat impunity.</p> <p>For the first time since the existence of the Specialized Judicial Centre (PJS) in the fight against terrorism, its investigations were tried in front of the jury court in Bamako in December 2017: 4 cases involving 6 persons for which 4 were convicted for facts related to terrorism.</p>
	<p>4.3.2 The perpetrators of human rights violations are prosecuted and convicted in accordance with international norms and standards</p>	<p>Ongoing</p>	<p>The cell of the Ministry of Justice, Garde des sceaux in charge of monitoring cases of violations and abuse of human rights, with the Division of human rights, reviewed all of the 257 cases shared between January and October 2017. This review has established that 3 cases have made positive progress.</p>

	4.3.3 The victims of human rights violations, including sexual or gender-based violence, are treated fairly by the justice system, receive reparations and benefit from new judicial protection measures	Ongoing		<p>Between 2013 and 2016, at least 135 persons have lodged complaints for infractions constituting sexual violence related to conflict committed between 2012 and 2013 in the northern regions.</p> <p>During the period considered in the report of the Secretary-General no victim was questioned by a magistrate. No trial has been opened yet.</p>
	4.3.4 Traditional and customary mechanisms are integrated into the justice system, without prejudice to the sovereign right of the State	Ongoing		<p>Following the recommendations of the workshops designed to develop a strategy for the implementation of activities aimed to upgrade traditional justice and to adopt a roadmap to clarify the role of the Cadis in the administration of justice (in particular in the area of civil mediation), a project in the amount of 300,000 USD has been prepared and will be validated at a workshop with the Ministry of Justice, Garde des sceaux.</p>
	4.3.5 Institutions regulating and protecting specific rights, such as freedom of expression, of the press and of communication, are in place or strengthened and work effectively	Implemented		
	4.3.6 The Anti-Corruption and Financial Crime Commission is established	Implemented		