

Benchmarks for monitoring the implementation of the Agreement on Peace and Reconciliation in Mali
(Original: French) – 20 March to 30 May 2018

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. The consensual nomination of interim authorities at the <i>cercle</i> (district) level is ongoing amongst signatory parties. A draft list is expected before the presidential election.
	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 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.

	<p>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</p>	Ongoing	2017	<p>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.</p> <p>The holding of the regional, local and communal elections is planned for 2019.</p>
<p>1.2 Define the authorities of territorial communities by specifying their respective roles and responsibilities, and those of the State</p>	<p>1.2.1 The Government has ensured that each region is able to establish and manage collective infrastructure and basic social services.</p>	Implemented		
	<p>1.2.2 Every region has developed an economic, social and cultural development plan and will be responsible for land management.</p>	Implemented		
	<p>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</p>	Ongoing		<p>In February 2018, elaboration of the draft decree determining the modalities for the transfer of decentralised services of the State and related resources to local authorities within their fields of competence.</p> <p>This draft decree is the result of a consultation between the Ministry of Territorial authorities, the signatory movements and social partners.</p>

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	<p>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.</p>	Implemented		
	<p>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.</p>	Implemented		
	<p>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.</p>	Ongoing		<p>The high-level meeting on security sector reform in Mali, organised from 27 to 29 March in Bamako, produced three documents:</p> <ul style="list-style-type: none"> - The national strategy for security sector reform; - The concept of the territorial police; - The national vision on the reconstitution and redeployment of the Malian Defence and Security Forces. <p>The finalisation of these documents is expected in early June 2018 within the framework of the global security sector reform and the implementation of the Peace Agreement.</p>

	<p>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.</p>	Implemented		
<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.</p>	<p>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).</p>	Ongoing		<p>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.</p> <p>The Malian parties agreed to finalise these discussions in early June 2018.</p>
<p>2.3 Reconstitute and progressively redeploy defence and security forces throughout national territory</p>	<p>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.</p>	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>Beginning of the operationalisation of the mixed units of the MOC in Kidal and Timbuktu, of which the progressive establishment started on 30 April.</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 finalised by the end of June 2018.</p>

3. Humanitarian assistance, socioeconomic and cultural development and the provision of basic social services :

Establishment of structures and mechanisms designed to achieve inclusive, participatory and sustainable local development

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>The Commission <i>Mouvements de Populations</i> recorded 1,947 newly displaced persons from 1 March to 16 April 2018, following generalised violence in the centre of the country.</p> <p>Since January 2018, 1,237 repatriated persons were registered by the National Directorate of Social Development with the support of the United Nations High Commissioner for Refugees (UNHCR).</p> <p>Electronic tablets were provided to improve registration and monitoring for protection and for civil status documents for repatriated persons at 28 registration points.</p> <p>Elaboration of a digital platform to facilitate monitoring of referral cases by Officers of civil registry and protection.</p> <p>Elaboration of a mapping of protection services and training on protection, referral and the use of the platform for Officers of civil registry and protection.</p>

	<p>3.1.2 Neutral and impartial humanitarian assistance is delivered in areas impacted by the crisis to those most vulnerable (residents, returnees, displaced or repatriated persons), enhancing their means of subsistence and resilience.</p>	<p>Ongoing</p>	<p>Support from the United Nations and its partners to the Government to provide food assistance to 155,000 persons per month in the regions of Gao, Kayes, Koulikoro, Ménaka, Mopti, Ségou, Timbuktu and Taoudenni.</p> <p>The United Nations agencies and their partners have received and treated 5,741 children with moderate acute malnutrition and 19,167 children with severe acute malnutrition, mainly in the region of central and northern Mali.</p> <p>Qualified personnel assisted in 13,105 child births and 232,684 curative consultations were provided to the population thanks to the interventions of the Health Cluster.</p> <p>The cluster shelter and Non-food items (NFIs) actors assisted 200 households in NFIs and WASH kits, representing about 1,330 persons assisted, mainly in the central and northern regions.</p>
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	<p>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.</p>	Ongoing		<p>In the water, hygiene and sanitation sector, the different actors targeted mainly the central and northern regions with 84 rehabilitated, repaired or newly created water points. Sensitization campaigns on hygiene practices targeted 44,766 persons.</p> <p>In the education sector, partners are responding to the crisis in the Centre and the North: 52 schools were built or rehabilitated, 5,311 school kits were distributed, 214 community dialogues were organised in 31 communes by 6 partners for the reopening of schools, and 22,622 children benefited from the food programme of the cluster's partners.</p>
<p>3.2. Mobilize the resources necessary to implement the specific development strategy for the northern regions of Mali.</p>	<p>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.</p>	Ongoing	The development zone's governance bodies will be established once the new regional councils have been established.	The concept note related to the northern development zone is being drafted. Consultations between the Ministry of Territory Planning and Population and the signatory armed groups continue.
	<p>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.</p>	Ongoing	2017	The texts were adopted by the National Assembly and the decree, which will define the technical organs, is to be signed.

	<p>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.</p>	Partially implemented		<p>Regional development Agencies are in place in each of the northern regions, except for Taoudenit and Ménaka.</p> <p>Drafting of the bills on the creation of regional development agencies in Taoudenni and Ménaka, which are expected to be promulgated after the decree creating the territorial collectivities for these two regions. This decree is being finalised for adoption at the National Assembly on 31 May.</p>
	<p>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.</p>	Partially implemented	2016	<p>Six regions: Ségou, Sikasso, Timbuktu, Mopti, Gao and Kidal have already signed their programme agreements.</p> <p>Follow-up missions were undertaken by the General Directorate of Territorial Collectivities, except in Kidal.</p>

4. Justice and reconciliation:

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
<p>4.1 Organize a national reconciliation conference on the underlying causes of the conflict</p>	<p>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</p>	<p>Implemented</p>		
	<p>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.</p>	<p>Partially implemented</p>		<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>The draft law is planned for deliberation at the National Assembly in June.</p> <p>However, the CMA rejected the Charter as it currently stands.</p>
<p>4.2 Establish transitional justice mechanisms.</p>	<p>4.2.1 The Truth, Justice and Reconciliation Commission is operational and has regional offices throughout the country.</p>	<p>Partially implemented</p>		<p>The CVJR recorded a total of 8,273 statements. However, no investigation of the CVJR has started yet.</p>

	<p>4.2.2 An international commission of inquiry is established and operational.</p>	Partially implemented		<p>Recruitment of the three first members of the international commission of inquiry's Secretariat, who are expected to be deployed by the end of June.</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>	Ongoing		<p>The security situation continues to constrain a number of magistrates to be temporarily relocated in other jurisdictions or to take leave from their jurisdiction for varying amounts of time.</p> <p>On security in prisons and the improvement of detention conditions:</p> <p>The Bamako and Koulikoro prisons both detaining presumed terrorists – have started the elaboration of a defence and security plan, in line with the 4 August 2017 interministerial decree.</p> <p>Strengthening of the Bamako prison, notably in the wings where presumed terrorists and other high-risk prisoners are detained.</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, continues to receive cases shared by the Division of human rights. Over the reporting period, 110 additional cases were shared, bringing the total number of cases shared to 367 from January 2017 to March 2018. In terms of follow-up, there has been very little progress and no case has seen any positive progress.</p> <p>The Ministry of Defence and Veterans referred to the military prosecutor of Mopti the investigation into the death of 14 persons qualified as “suspected terrorists” during a presumed attempt to escape in the region of Mopti.</p> <p>The Division set up a monitoring mechanism for human rights violations involving Malian Defence and Security Forces with the Army Chief of Staff. This mechanism allowed to track 19 persons arrested by the Malian Defense and Security Forces during counter-terrorism operations led in the Centre of Mali between February and May 2018 and with which the division had lost contact. However, 10 persons continue to be missing.</p>
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	<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.</p>	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>No victim was questioned by a magistrate. No trial has been opened yet.</p>
	<p>4.3.4 Traditional and customary mechanisms are integrated into the justice system, without prejudice to the sovereign right of the State.</p>	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 was prepared and validated during a workshop with the Ministry of Justice, Garde des sceaux on 24 and 25 April.</p> <p>This project provides for, inter alia, the organisation of sensitization workshops on the complementarity between traditional justice and formal justice in the regions of Kidal, Mopti, Gao, Timbuktu, Ségou, Sikasso and Kayes and reflexion fora, between now and the end of June 2018.</p>

	<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.</p>	<p>Implemented</p>		
	<p>4.3.6 The Anti-Corruption and Financial Crime Commission is established.</p>	<p>Implemented</p>		