

Country/entity	Mali Azawad
Region	Africa (excl MENA)
Agreement name	Accord cadre de mise en œuvre de l'engagement solennel du 1er Avril 2012
Date	6 Apr 2012
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

Tuareg Wars (1962 -)

Mali-Azawad

The nomadic Tuareg in the north of Mali maintained a long-standing revolt against a government traditionally dominated by southern politicians shortly after Mali became independent from France in 1960. The uprisings focused in and around the Azawad region, north of Timbuktu. After several outbreaks of violence during the 1980s, violence peaked with the 1990 outbreak of the Tuareg Rebellion. Following an initial defeat by the Malian Armed Forces, reparations by the government of Alpha Konare included the creation of the self-governing Kidal region. Violence in 1994 died down following peace between moderates on both sides in 1995 and a negotiated peace agreement. Violence continued due to a lack of integration by combatants, but it was not until 2011 that the situation again escalated in the aftermath of the Arab Spring and the disintegration of Libya, which resulted in a heavy inflow of small arms, and the increased involvement by Algeria. In January 2012, the National Movement for the Liberation of Azawad (MNLA) together with several other groups took full control of the region. Disputes on how to handle the situation led to a military coup against President Touré in March 2012 that, in turn, resulted in further turmoil. The MNLA declared the independence of Azawad, but soon lost control of most of the territory to radical Islamist militias including Ansar Dine. A French intervention in January 2013 paved the way for a UN mission, which was established in April of that year. In June 2015 multiple declarations culminated in a final agreement between several Azawad-affiliated groups, including MNLA, and the government of Mali to end hostilities. However, inadequate implementation of the agreement results in continual armed confrontations between pro-government militias, Azawad-affiliated groups, dissidents of Azawad-affiliated groups, ethnically oriented groups, and increasingly since 2017, radical Islamist militias.

Niger-Air-Azawad

In 1990 the nomadic Tuareg in northern Niger explicitly sought greater political autonomy following decades of grievances on local political exclusion. With the first armed group Air and Azawad Liberation Front (FLAA) to be established in 1991, fighting between 1990 to 1995 took place largely in the Air Mountains. A short-lived truce was agreed in 1994 between the Niger Government and the Tuareg umbrella organisation Coordination of Armed Resistance (CRA), later called Organisation of Armed Resistance (ORA). Another accord was signed in April 1995 in Ouagadougou with various other Tuareg groups and some Toubou, the last signing in 1998. After ten years of relative peace, Movement of Nigeriens for Justice (MNJ) reinvigorated conflicts in 2007 following little follow up by the Nigerienne government on the signed peace agreements.

Close

Tuareg Wars (1962 -)

Stage	Framework/substantive - partial
Conflict nature	Government/territory
Peace process	Mali-Azawad Inter-Azawad peace process

Parties	<p>(Signed) For the mediator of the CEDEAO and the delegation, The Minister of Foreign Affairs and Regional Cooperation of Burkina Faso Yipène Djibrill BASSOLE</p> <p>(Signed) For the Comité National de Redressement de la Démocratie et de la Restauration de l'Etat (CNRDRE) Capitaine Amadou Haya SANOGO</p>
Third parties	<p>(Signed) Witness: The Minister of African Integration of the Cote d'Ivoire Adama BICTOGO</p> <p>(Signed) Witness: The Deputy Minister to the Minister of Foreign Affairs of the Federal Republic of Nigeria Dr Mohammed NOURIDDEEN</p>
Description	This agreement is about the details of political transition after the impeachment of the president.

Agreement document	ML_120401_Accord cadre de mise en oeuvre de l'engagement solennel du 1er avril 2012_EN.doc.pdf (opens in new tab) Download PDF
Agreement document (original language)	ML_120406_Accord Cadre de Mise en œuvre de l'engagement solennel du 1er Avril 2012_FR.pdf (opens in new tab)

Groups

Children/youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/national group	No specific mention.
Religious groups	No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons No specific mention.

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→Temporary new institutions
Page 2, Chapter 1: Implementation of the provisions of article 36 of the Constitution, Article 4:

The President of the National Assembly shall be invested by the Constitutional Court as interim President of the Republic, and tasked with organising the presidential election within 40 days (as specified in the) Constitution.

Page 2, Chapter II: Establishment of transition organs, Article 5:

Given the exceptional circumstances affecting the country due to the institutional crisis and the armed rebellion in the North which have seriously affected the normal functioning of the Republican institutions, and the impossibility of organising elections within forty days as stipulated by the Constitution, it proves essential to organise a political transition leading to free, democratic and transparent elections throughout the national territory.

Page 2-3, Chapter II: Establishment of transition organs, Article 6:

In the circumstances evoked in article 5 above, the signatory parties to the present agreement agree to establish the organs of transition described below, tasked with leading the transition process until the presidential election, with a duly revised electoral register accepted by all.

- a – A transitional Prime Minister, Head of Government, with full powers and a remit to lead the transition, manage the crisis in the north of Mali, and organise free, transparent and democratic elections in accordance with a roadmap, shall be appointed;
- b – A transitional Government of National Unity, made up of consensual individuals and charged with implementing the roadmap, shall be formed;
- c – The Government of National Unity shall work to arrange humanitarian aid;
- d – The signatory parties together with all the concerned parties shall arrange a roadmap for the transition including:
 - The time period and timetable for the transition;
 - The operational tasks to be carried out by the different transitional organs to ensure a peaceful transition;
 - The organisational methods for the elections enabling a definitive normalisation of the situation;
 - Revision of the electoral register.

The role and position of CNRDRE members during the transition process shall be defined.

Page 3, Chapter III: Adoption of accompanying legislation, Article 7:

Given the exceptional circumstances in the country due to the war and in order to enable elections in proper conditions throughout the national territory, to reinforce social cohesion and national unity, a certain number of legislative texts accompanying the process of transition shall be voted in the National Assembly:

- ... c – A law on extension of the mandate of deputies until the end of the transition;

Elections

Page 1, Untitled preamble:

Considering that the return to constitutional normality requires compliance with the provisions of the Constitution of February 25, 1992, including article 36 on appointing an interim President of the Republic where there is a vacancy or impeachment.

Recalling that article 36 provides that, “Where the President of the Republic is temporarily prevented from fulfilling his functions, his powers are temporarily exercised by the Prime Minister.

Where there is a vacancy for the Presidency of the Republic for whatever reason or because of an absolute and definitive impeachment confirmed by the Constitutional Court convened by the President of the National Assembly and the Prime Minister, the functions of the President of the Republic shall be exercised by the President of the National Assembly.

A new President shall be elected for a new period of five years.

Election of the new President shall take place at the earliest twenty one days and no later than forty days after official confirmation of the vacancy or a definitive impeachment.

Where there is any impeachment or vacancy, articles 38, 41, 42 and 50 of the present Constitution may not be applied.”

The CEDEAO Mediator and the National Committee for the Recovery of Democracy and the Restoration of the State (la Comité National de Redressement de la Démocratie et de la Restauration de l’État, CNRDRE) have agreed to adopt the present framework agreement on the formal implementation of the formal engagement of April 1, 2012, whose contents are detailed below.

Page 2, Chapter 1: Implementation of the provisions of article 36 of the Constitution, Article 4:

The President of the National Assembly shall be invested by the Constitutional Court as interim President of the Republic, and tasked with organising the presidential election within 40 days (as specified in the) Constitution.

Page 2, Chapter II: Establishment of transition organs, Article 5:

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b – A transitional Government of National Unity, made up of consensual individuals and charged with implementing the roadmap, shall be formed;

c – The Government of National Unity shall work to arrange humanitarian aid;

d – The signatory parties together with all the concerned parties shall arrange a roadmap for the transition including:

- The time period and timetable for the transition;

- The operational tasks to be carried out by the different transitional organs to ensure a peaceful transition;

- The organisational methods for the elections enabling a definitive normalisation of the situation;

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society Page 2-3, Chapter II: Establishment of transition organs, Article 6:
In the circumstances evoked in article 5 above, the signatory parties to the present agreement agree to establish the organs of transition described below, tasked with leading the transition process until the presidential election, with a duly revised electoral register accepted by all.
[...]
c – The Government of National Unity shall work to arrange humanitarian aid;
[...]

Page 3, Chapter III: Adoption of accompanying legislation, Article 10:
With regard to the very serious humanitarian situation, the current Chair of CEDEAO shall make funds for humanitarian aid available to Mali, and shall request appropriate humanitarian aid from Mali's technical and financial partners and the international community.

Traditional/religious leaders No specific mention.

**Public
administration**

No specific mention.

Constitution

Governance→Constitution→Constitution affirmation/renewal

Page 1, Untitled preamble:

Considering that the return to constitutional normality requires compliance with the provisions of the Constitution of February 25, 1992, including article 36 on appointing an interim President of the Republic where there is a vacancy or impeachment.

Recalling that article 36 provides that, “Where the President of the Republic is temporarily prevented from fulfilling his functions, his powers are temporarily exercised by the Prime Minister.

Where there is a vacancy for the Presidency of the Republic for whatever reason or because of an absolute and definitive impeachment confirmed by the Constitutional Court convened by the President of the National Assembly and the Prime Minister, the functions of the President of the Republic shall be exercised by the President of the National Assembly.

A new President shall be elected for a new period of five years.

Election of the new President shall take place at the earliest twenty one days and no later than forty days after official confirmation of the vacancy or a definitive impeachment.

Where there is any impeachment or vacancy, articles 38, 41, 42 and 50 of the present Constitution may not be applied.”

The CEDEAO Mediator and the National Committee for the Recovery of Democracy and the Restoration of the State (la Comité National de Redressement de la Démocratie et de la Restauration de l’État, CNRDRE) have agreed to adopt the present framework agreement on the formal implementation of the formal engagement of April 1, 2012, whose contents are detailed below.

Page 2, Chapter 1: Implementation of the provisions of article 36 of the Constitution, Article 2:

The Chair of CNRDRE in accordance with his formal declaration of April 1, 2012, shall launch the process of implementing article 36 of the Constitution of February 25, 1992.

Page 2, Chapter 1: Implementation of the provisions of article 36 of the Constitution, Article 3:

In accordance with the provisions of bullet 2 of article 36 of the Constitution, the President of the National Assembly and the Prime Minister shall inform the Constitutional Court of this resignation, to attest to this vacancy in power.

With reference to the provisions in bullet 2 of article 36 of the Constitution, the Constitutional Court, shall confirm the presidential vacancy.

Page 2, Chapter 1: Implementation of the provisions of article 36 of the Constitution, Article 4:

The President of the National Assembly shall be invested by the Constitutional Court as interim President of the Republic, and tasked with organising the presidential election within 40 days (as specified in the) Constitution.

Page 2, Chapter II: Establishment of transition organs, Article 5:

Given the exceptional circumstances affecting the country due to the institutional crisis and the armed rebellion in the North which have seriously affected the normal functioning of the Republican institutions, and the impossibility of organising elections within forty days as stipulated by the Constitution, it proves essential to organise a political transition leading to free, democratic and transparent elections throughout the national territory.

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship	No specific mention.
Democracy	<p>Page 2, Chapter II: Establishment of transition organs, Article 5: Given the exceptional circumstances affecting the country due to the institutional crisis and the armed rebellion in the North which have seriously affected the normal functioning of the Republican institutions, and the impossibility of organising elections within forty days as stipulated by the Constitution, it proves essential to organise a political transition leading to free, democratic and transparent elections throughout the national territory.</p> <p>Page 2-3, Chapter II: Establishment of transition organs, Article 6: In the circumstances evoked in article 5 above, the signatory parties to the present agreement agree to establish the organs of transition described below, tasked with leading the transition process until the presidential election, with a duly revised electoral register accepted by all.</p> <p>a – A transitional Prime Minister, Head of Government, with full powers and a remit to lead the transition, manage the crisis in the north of Mali, and organise free, transparent and democratic elections in accordance with a roadmap, shall be appointed; [...]</p>
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	<p>Page 2-3, Chapter II: Establishment of transition organs, Article 6: In the circumstances evoked in article 5 above, the signatory parties to the present agreement agree to establish the organs of transition described below, tasked with leading the transition process until the presidential election, with a duly revised electoral register accepted by all. [...]</p> <p>c – The Government of National Unity shall work to arrange humanitarian aid; [...]</p> <p>Page 3, Chapter III: Adoption of accompanying legislation, Article 10: With regard to the very serious humanitarian situation, the current Chair of CEDEAO shall make funds for humanitarian aid available to Mali, and shall request appropriate humanitarian aid from Mali’s technical and financial partners and the international community.</p>
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds Page 3, Chapter III: Adoption of accompanying legislation, Article 8:
The National Committee for the Recovery of Democracy and the Restoration of the State (la Comité National de Redressement de la Démocratie et de la Restauration de l'État, CNRDRE) shall implement the present agreement under the auspices of the CEDEAO Mediator with the support of the international community.

Page 3, Chapter III: Adoption of accompanying legislation, Article 10:
With regard to the very serious humanitarian situation, the current Chair of CEDEAO shall make funds for humanitarian aid available to Mali, and shall request appropriate humanitarian aid from Mali's technical and financial partners and the international community.

Business	No specific mention.
Taxation	No specific mention.
Banks	No specific mention.

Land, property and environment

Land reform/rights	No specific mention.
Pastoralist/ nomadism rights	No specific mention.
Cultural heritage	No specific mention.
Environment	No specific mention.
Water or riparian rights or access	No specific mention.

Security sector

Security Guarantees	No specific mention.
Ceasefire	No specific mention.
Police	No specific mention.
Armed forces	<p>Page 3, Chapter III: Adoption of accompanying legislation, Article 7: Given the exceptional circumstances in the country due to the war and in order to enable elections in proper conditions throughout the national territory, to reinforce social cohesion and national unity, a certain number of legislative texts accompanying the process of transition shall be voted in the National Assembly: [...] d – A law on military direction and programming, for the organisational and equipment needs of the Army. e – A law creating a Military Committee for monitoring the reform of the defence and security forces.</p>
DDR	No specific mention.
Intelligence services	No specific mention.

Parastatal/rebel and opposition group forces No specific mention.

Withdrawal of foreign forces No specific mention.

Corruption No specific mention.

Crime/organised crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon Transitional justice→Amnesty/pardon→Amnesty/pardon proper
Page 3, Chapter III: Adoption of accompanying legislation, Article 7:
Given the exceptional circumstances in the country due to the war and in order to enable elections in proper conditions throughout the national territory, to reinforce social cohesion and national unity, a certain number of legislative texts accompanying the process of transition shall be voted in the National Assembly:
a - A general amnesty law for the benefit of CNRDRE members and their associates;
[...]

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims	<p>Page 3, Chapter III: Adoption of accompanying legislation, Article 7: Given the exceptional circumstances in the country due to the war and in order to enable elections in proper conditions throughout the national territory, to reinforce social cohesion and national unity, a certain number of legislative texts accompanying the process of transition shall be voted in the National Assembly: [...] b – A law on compensation of war victims, and of the insurrectional movement of March 22, 2012; [...]</p>
Missing persons	No specific mention.
Reparations	<p>Transitional justice→Reparations→Material reparations Page 3, Chapter III: Adoption of accompanying legislation, Article 7: Given the exceptional circumstances in the country due to the war and in order to enable elections in proper conditions throughout the national territory, to reinforce social cohesion and national unity, a certain number of legislative texts accompanying the process of transition shall be voted in the National Assembly: [...] b – A law on compensation of war victims, and of the insurrectional movement of March 22, 2012; [...]</p>
Reconciliation	<p>Page 3, Chapter III: Adoption of accompanying legislation, Article 7: Given the exceptional circumstances in the country due to the war and in order to enable elections in proper conditions throughout the national territory, to reinforce social cohesion and national unity, a certain number of legislative texts accompanying the process of transition shall be voted in the National Assembly: [...]</p>

Implementation

UN signatory	No specific mention.
Other international signatory	<p>Page 4, For the mediator of the CEDEAO and the delegation, The Minister of Foreign Affairs and Regional Cooperation of Burkina Faso Yipène Djibrill BASSOLE</p>
Referendum for agreement	No specific mention.
International mission/force/similar	No specific mention.
Enforcement mechanism	No specific mention.

Related cases No specific mention.

Source UN Peacemaker:
<http://peacemaker.un.org/>
