

Annex 2: Historical texts

2.1 National Pact

Decree no 92-121/P-CTSP

PROMULGATING THE NATIONAL PACT

The Government of the Republic of Mali and the United Movements and Fronts of Azawad

Have signed on 11th April, 1992, at Bamako,

The President of the Transitional Committee for the Well-Being of the People, promulgates the National Pact whose contents are as follows:

NATIONAL PACT CONCLUDED BETWEEN THE GOVERNMENT OF THE REPUBLIC OF MALI AND THE UNITED MOVEMENTS AND FRONTS OF AZAWAD, SANCTIONING THE PARTICULAR STATUS OF THE NORTH OF MALI

- The Government of the Republic of Mali and the United Movements and Fronts of Azawad, known as the two parties within the framework of the present pact;
- Having analysed in detail, all origins of the painful armed conflict that has affected the North of the country, and after studying all the serious consequences resulting from this situation;
- Wishing to reach a peaceful, just and definitive negotiated solution to the painful armed conflict affecting the 6th, 7th and 8th regions of the Republic of Mali, called Azawad by the Movements and United Fronts of Azawad; a solution taking account of the cultural, geographic and socio-economic diversity of the country, and at the same time, a solution that promotes the unity and integrity of the country;
- Reaffirming their loyalty to the Constitution of the Republic of Mali dated 12th January 1992;
- Highlighting the provisions of the Constitution of the Republic by which it adheres to the Universal Declaration of Human Rights of 10th December 1948 and the African Human Rights Charter of 27th June 1981, and stating their determination to defend the rights of women and children together with the cultural and linguistic diversity of the National Community
- Have, at the conclusion of their peace negotiations in Algiers, mediated by the Democratic and Popular Republic of Algeria, within the framework of this document, agreed to the following:

SECTION I

MAIN PRINCIPLES OF THE PACT

1. The present pact is the framework for restoration of a just and durable peace in the North of Mali and national reconciliation between all Malians.
2. The contents of the present pact constitute a formal engagement and irreversible provisions agreed by the two parties, binding all reconciled Malians and their institutions. In this respect, the permanence of the statutory provisions of this pact and the implementation of the other provisions shall be guaranteed by the State.
3. The provisions of the present pact constitute an indivisible whole which shall be implemented in accordance with the timetable specified in the pact itself.
4. The provisions of the present pact apply in Northern Mali, known as the 6th and 7th and 8th regions by the Government, and as Azawad by the United Movements and Fronts of Azawad.

The Government of the Republic of Mali is not opposed to the designation “AZAWAD” for these regions. However, it respects the right of the populations to freely decide the designation of their local, regional and interregional territory, and, until these populations are able to exercise their rights through their elected local, regional and interregional bodies, the two parties, given the necessity to bring about peace in this part of the national territory, have decided to designate it as Northern Mali throughout this pact, and this from their first meeting.

SECTION II

THE DEFINITIVE CESSATION OF HOSTILITIES AND RESOLUTION OF THE QUESTIONS ARISING FROM THE SITUATION OF ARMED CONFLICT

5. A definitive ceasefire shall enter into force at 00.00 hours the day after formal signature of the National Pact.
6. While awaiting implementation of the provisions foreseen in paragraph 7A below, and monitored by the Ceasefire Monitoring Committee, the forces of the two parties shall refrain from any action or movement which may increase tensions or lead to incidents.
7. Within 60 days of signing the pact, a programme relating to the measures below shall be delivered:

A - Within the framework of measures to restore confidence, eliminate causes of insecurity and establish complete security:

- combatants of the United Movements and Fronts of Azawad (Mouvements et Forces Unifiés d'Azawad, MFUA) shall be completely integrated, individually, voluntarily and based on criteria of competence,) in the different State uniformed units;
- for one year, special units of the armed forces shall be created, composed mainly of the MFUA combatants;
- units of internal security (National Gendarmerie, "Garde-Goum", Police) including all members of the local populations, and MFUA combatants, shall be made available to the Local Authorities within the framework of their police powers;
- special units of the Army shall be created, completely open to all members of the local populations, whose remit shall be limited to maintaining the integrity and external security of the national territory.

Provisions relating to the integration of all the above combatants of the Movements and Fronts shall address the return of elements of the latter with their arms. This operation shall be carried out with the support of the Ceasefire Monitoring Committee;

The security and physical integrity of the combatants and members of the Movements and Fronts as well as that of repatriated displaced persons shall be totally guaranteed;

B - In addition, and within the same framework, the measures to restore confidence, eliminate factors of insecurity and establish complete security, shall be preceded by a gradual and appropriate reduction of the armed forces currently in the north, resulting in a major withdrawal. This operation shall be carried out in accordance with:

- definitive cessation of hostilities, in accordance with the ceasefire agreed in paragraph 5 above,
- implementation of the security measures and mechanisms foreseen in paragraph 7 above,
- the changed remit of the national army tasked with the national defence in future, involving an extended programme of redeployment of military installations away from urban areas and areas of pasture land and grassland, as well as the conversion of some of these Army installations into military and para-military training colleges, and the use of some disused barracks for professional training.

8. Entry into force of the ceasefire and implementation of the related provisions listed in paragraph 7 above, shall be monitored by a Ceasefire Monitoring Committee, composed and managed as follows:

A - The Ceasefire Committee shall be composed of ten representatives of each of the two parties and the Mediator. Each shall be tasked with implementing the provisions defined in paragraph 7 above;

B – The Ceasefire Committee shall replace the Truce Supervision Committee. It shall be installed at Gao, 48 hours after signing the pact. It shall plan its work and its decentralised Sub-Committees.;

C – for the 60 day implementation period for the measures set out in paragraph 7 above, the Ceasefire Commission shall sit permanently, chaired by the Mediator and with the continuous

participation of his representatives. If necessary this period shall be prolonged until the measures above have been achieved;

D – Beyond this period, the Ceasefire Committee shall sit permanently for one year with the participation of Representatives of the two parties, with the chair alternating each month, starting with the Movements and Fronts;

E – After the first and second quarters and after the second semester (half-year) following signature of the pact, the Ceasefire Committee shall sit, chaired by the Mediator. Any contentious issues concerning its remit shall be examined and resolved during these specific sessions, the last session serving to wind up the Ceasefire Committee;

F – The expenses, charges and resources of the Ceasefire Committee shall be borne by the Government of the Republic of Mali, including the disbursement of individual allocations to delegates of the Movements of the Committee.

9. A programme to repatriate displaced persons shall be prepared following signature of the present pact. The programme shall start 60 days following its signature, that is after implementation of the ceasefire provisions set out in paragraph 7 which read as follows:

Within 60 days of signing the pact, a programme relating to the measures below shall be delivered:

A - within the framework of measures to restore confidence, eliminate causes of insecurity and establish complete security,

- There shall be total integration, individually, voluntarily and based on criteria of competence, of the combatants of the United Movements and Fronts of Azawad (Mouvements et Forces Unifiés d'Azawad, MFUA) in the different State uniformed units;
- For one year, special units of the armed forces shall be created, composed mainly of the MFUA combatants;
- Units of internal security (National Gendarmerie, "Garde-Goum", Police) including all members of the local populations, including MFUA combatants, shall be made available to the Local Authorities within the framework of their police powers;
- Special units of the Army shall be created, completely open to all members of the local populations, whose remit shall be limited to maintaining the integrity and external security of the national territory.

Provisions relating to the integration of all the above combatants of the Movements and Fronts shall address the return of elements of the latter with their arms. This operation shall be carried out with the support of the Ceasefire Monitoring Committee;

The security and physical integrity of the combatants and members of the Movements and Fronts as well as that of repatriated displaced persons shall be totally guaranteed;

B - In addition, and within the same framework, the measures to restore confidence, eliminate factors of insecurity and establish complete security, shall be preceded by a gradual and appropriate

reduction of the armed forces currently in the north, leading to a major withdrawal. This operation shall be carried out in accordance with:

- definitive cessation of hostilities, in accordance with the ceasefire agreed in paragraph 5 above,
- implementation of the security measures and mechanisms foreseen in paragraph 7 above,
- the changed remit of the national army tasked with the national defence in future, involving an extended programme of redeployment of military installations away from urban areas and areas of pasture land and grassland, as well as the conversion of some of these Army installations into military and para-military training colleges, and the use of some disused barracks for professional training.

Every effort shall be made to ensure that this repatriation programme be completed within 60 days of its launch.

10. The repatriation programme shall be carried out by the Government and the Movements and in cooperation with the authorities of the receiving countries, as well as the friendly countries and international humanitarian organisations whose support shall be requested.

11. Two funds shall be created for the reinsertion of displaced populations and assistance to victims of all the consequences of the armed conflict in Northern Mali:

- A Fund for Development and Reinsertion to stimulate the creation of Small and Medium-Sized Industries (SMIs) and Small and Medium-Sized Enterprises (SMEs) and to establish displaced persons in the production cycle,
- An Assistance and Compensation Fund for civilian and military victims of the consequences of the armed conflict, from the two parties, and their dependants. This Funds shall primarily be destined to compensate victims following the work of the Independent Commission of Inquiry,
- A permanent mechanism for assistance to military victims from the two parties and their dependants shall be created.

These two funds shall be created within 30 days of signing the present pact.

11. In accordance with the decision agreed between the two parties following the Mopti Conference in December 1991, put into practice following their meeting at Algiers in January 1992, and reiterated following their meeting in March, the Independent Commission of Inquiry shall be installed at Mopti 15 days after signing the Pact.

12. If the two parties have not been able to agree, within the period specified in the paragraph above, on the issue of the composition of the Independent Commission of Inquiry, the Monitoring Committee of the Pact – foreseen in the present document – meeting under the chairmanship of the Mediator at the end of the first month following signature of this pact, shall consider the question and shall take the necessary measures to resolve this difficulty, in order for the Independent Commission of Inquiry to function as per the terms agreed by the two parties and recalled in the paragraph below.

13. The Independent Commission of Inquiry shall work according to the provisions agreed between the two parties and which read as follows:

REMIT OF THE COMMISSION

The Independent Commission of Inquiry shall be tasked with investigating all events which have taken place in Mali relating to the problems of the North, including: crimes perpetrated against the civilian population as physical or moral persons as well as their property, damage to the environment and destruction of livestock, thefts, pillage and acts of vandalism and destruction. The Commission shall work to establish responsibility for these acts, and their consequences, and to assess the damage and compensation due to victims.

ORGANISATION OF THE Commission

A - The Commission shall be made up as follows:

- Five (5) representatives of the Government of the Republic of Mali,
- Five (5) representatives of MFUA,
- A maximum of seven (7) and a minimum of five (5) independent experts chosen by common accord between the two parties, one per country, from the following countries: Algeria, Niger, Burkina Faso, France, Libya, Mauritania and Senegal;

B - The two parties shall agree a nominative list of members of this Commission during their first meeting;

C - The Commission shall be chaired by an independent expert nominated by his peers;

D - The Commission shall begin its work no later than three weeks following its creation;

E – The running costs of the Commission shall be assumed by the Government of the Republic of Mali. The latter shall also facilitate the work of the Commission by providing its full material and administrative support.

The two parties shall ensure adequate security for the effective operation of the Commission.

OPERATION OF THE COMMISSION

A – The Commission shall carry out its remit with complete independence and impartiality;

B – Members of the Commission shall benefit from immunity. This immunity shall be extended to all persons interviewed by the Commission and who bear witness to it;

C – The Commission shall take decisions by simple majority, with its chair exercising a casting vote;

D – The Commission shall establish its own internal regulations and plan its work;

E – The Commission shall reach its conclusions within three months of its launch. Where necessary this period may be extended by common accord between the two Parties and by the Commission's request;

F – The Commission’s deliberations and its report shall remain confidential;

G – The Commission’s report shall be addressed to the President of the Republic of Mali, with copies to MFUA and the Mediator.

IMPLEMENTING THE COMMISSION’S CONCLUSIONS

A – The two parties shall respect the decisions and recommendations of the Commission;

B – The State of Mali undertakes to appoint the appropriate judicial bodies and other bodies who shall implement the decisions and recommendations of the Commission no later than forty-five (45) days after its report is submitted to the President of the Republic of Mali.

SECTION III

SPECIFIC STATUS OF NORTHERN MALI

Conscious of the importance of managing the affairs of the population within the framework of a peaceful and definitive resolution of the armed conflict in Northern Mali, the two Parties have agreed on the following specific status for Northern Mali.

In this same spirit of the people assuming the management of interregional, regional and local affairs, and in order to bring them closer together, the principle of administrative sub-division at each level of territorial organisation in Northern Mali has been agreed between the two Parties. This sub-division shall be proposed by the local authorities and enacted by Law.

15. This statute defines and enacts the competences of local, regional and interregional assemblies.

These elected assemblies shall be competent to:

A – Organise urban and rural community life;

B – Define and promote their own economic, social and cultural development programme. These global or specific, local or regional, development programmes shall cover such activities and sectors as agriculture, livestock farming, water, urbanism, habitat, preservation of the ecosystem, industry, transport, communication, health, education, culture, tourism, research and promotion of local languages, handicrafts, management and protection of historic sites, managing the building stock and stimulating exploration and exploitation of natural resources;

C – Manage the forces responsible for maintaining order at the local and regional level;

D – Participate fully and actively in maintaining security in their region and in defending the national territory, which is a national duty;

E – Ensure the collaboration, cooperation and coordination of their actions and of their representative authorities both horizontally and vertically between the different collectivities at

each level of organisation, and between the different levels of organisation from the basic collectivity through to the interregional level for the whole of Northern Mali;

F - Organise and lead exchanges and complementary actions between the local and regional collectivities of the North and those of other regions of Mali;

G – Organise exchanges of experience and assistance with the populations of localities and regions in other countries, and by twinning between the localities and regions of the North of Mali on one hand, and similar bodies in other countries, on the other; and by coordinating exchanges and initiatives between neighbouring regions within the cross border framework; and by requesting the help of Non-Governmental Organisations, in accordance with the relevant framework agreements.

16. To this end, the local, regional and interregional collectivities shall be:

- The interregional assembly;
- The region;
- The commune, district and cercle.

17. At the level of the collectivities there shall be:

- An elected assembly,
- An executive appointed to the elected authority of the commune,
- The district, the cercle and the region,
- A representative of the State based at the level of the region,
- In addition, the interregional assembly shall have a permanent secretariat.

CHAPTER I

THE INTERREGIONAL LEVEL

18. With respect for the unity of the State and of the nation of Mali, and in order to encourage a policy of development in an area of the country which is very similar in terms of geography, climate and socio-economic and cultural characteristics, for the benefit of the populations concerned and of the Republic of Mali, an interregional assembly shall be created at the level of regions of Northern Mali.

19. The regions of Northern Mali shall participate in this interregional assembly on a voluntary basis.

20. The interregional assembly shall be elected by the assemblies of the member regions for a mandate of five years. Each member region shall have 5 seats. The interregional assembly shall elect its President.

21. The interregional assembly shall have a permanent secretariat. The staff of the permanent secretariat and its General Secretary shall be paid by the State.

22. The interregional assembly shall have an annual operating budget to which the member regions shall contribute, and added to by the State.

23. The interregional assembly shall be competent to:

A – Develop all interregional development programmes and socio-economic and cultural activity;

B – Coordinate all activities and projects of mutual interest for the member regions;

C- Implement together with the government, as agreed by the regions and their local collectivities, all proposals for regional sub-division;

D – make proposals to the Government for any actions or development projects which extend beyond the region;

E – together with the national authorities, launch and monitor the implementation of all projects relating to education, health and culture at the interregional level in order to better meet the needs of the population (e.g. universities, university hospitals, interregional radio and television broadcasting, etc.);

F – Participate together with the relevant national authorities, in developing all programmes involving members of the interregional assembly, in the areas of national defence, civil defence, and combatting natural catastrophes;

G - Contribute to leading and promoting cross border development with neighbouring countries.

CHAPTER II

THE REGIONAL LEVEL

24. Each of the regions of Northern Mali shall have an assembly democratically elected by the local population. This assembly shall be elected by indirect suffrage for a mandate of five years. The number of seats shall correspond to the number of electoral constituencies, to be defined on the basis of population density and land area, with a minimum of one elected member per cercle.

25. The assembly shall elect its President.

26. The office of the assembly shall appoint a regional Chief Executive who shall be responsible to the assembly. He shall be assisted by a General Secretary whom he shall nominate.

27. The Government shall nominate a State representative to the region. In his role of Government representative, he, together with the president of the Regional Assembly, shall ensure that the assembly's decisions comply with national laws and regulations.

28. The elected members of the region shall enjoy immunity in exercising their functions. They shall receive an allowance from the State.

29. The regional executive shall be assisted by staff representing the different decentralised State services to supplement the regional administration. In respect for the uniqueness of the national administration, priority in recruitment shall be given to people from the region.

30. The regional assembly is competent to:

A – Undertake any activity to develop the region;

B – Promote investment in the region;

C – Provide advice within the framework of the national development programme;

D – Manage, through the Executive, any credits given to the region by the Government;

E – Define, lead and implement the equipment programme for the region, and monitor its use;

F – Define and promote development rural policy, particularly in the areas of property, habitat, combatting desertification, hydrology, pasture land and ecosystem preservation;

G – Encourage and promote industrial and handicraft development, particularly by creating industrial zones, local handicraft units, and other units to satisfy local needs;

H – Take all necessary steps to promote tourism and develop transport;

I – Encourage social and cultural development in the region by:

- Promoting balanced health and education policy at the regional level,
- Proposing measures to the Government,
- Promoting local social and cultural activities in order to enhance the cultural heritage of the region, ensure its diffusion throughout the country and ensure the diffusion of other aspects of the national heritage at the regional level. To this end, all possibilities to create radio and television stations shall be pursued;

J – Coordinate efforts and actions between local collectivities in the interior of the country, and between these and their homologues abroad;

K – Study and propose in collaboration with the local authorities, a programme of sub-division of local collectivities at the level of the region.

31. Through its President, the regional assembly shall supply sufficient numbers of personnel for the interior security units. It shall monitor the police force and maintain civil order at the regional level.

32. In respect for national sovereignty and the commitments of the State, the regional assembly shall be competent to promote a policy of cross border development and a programme of cooperation and exchange with similar institutions in neighbouring countries.

33. The regional assembly shall vote the region's budget. This shall be made up of income from local taxes, and by annual or special subsidies provided by the state as well as donations and legacies.

It shall also vote on loans from the national Government decreed by the region to support regional development.

CHAPTER III

THE LOCAL LEVEL

34. In order to involve the population more closely in managing their local affairs, communes, districts and cercles shall have an organisation similar to that of the region, namely:

- A Council elected for five years, for which the number of seats shall be determined on the basis of population density and land area. Each council shall elect its President and its Office. It shall appoint a local Executive answerable to the council.

- The General Secretary of the local collectivity appointed by the President, shall ensure that the council's decisions comply with national laws and regulations.

35. At the level of the constituency, the councils of cercles, districts and communes shall have similar competences to those devolved to the regional assemblies.

36. The budget of the commune, district and circle shall be voted by its council. It shall be made up of local income, and by endowments distributed by the region on the basis of credits granted by the State, as well as donations and legacies.

37. This policy of greater involvement of citizens in managing local affairs shall be consolidated by a programme to strengthen the network of urban and rural communes in the north of Mali. The new communal sub-divisions shall result from studies and proposals carried out and developed by each of the regions in consultation with the lower levels (cercles, districts and commune), proposals which shall be forwarded to the national level to formalise them.

38. In addition to these elected civic structures, all Tourist Boards, and all local, regional and interregional professional associations, shall be authorised throughout Northern Mali, within the framework of the law and of national regulations.

39. Communes, districts and cercles shall seek exchange programmes with similar bodies in other regions of Mali.

40. Cercles, districts and communes shall be entitled to promote exchange and cooperation activities with similar authorities in other countries.

CHAPTER IV

IMPLEMENTING THE PRESENT STATUTE

41. With respect for the irreversible nature of the letter and the spirit of the present Statute, all necessary legislation and regulations shall be prepared in order to implement it.

42. The timetable for implementation of this Statute shall be specified in the general calendar for implementation of the National Pact as stated in Section IV above.

43. Notwithstanding the participation of the regions in the High Council of Collectivities foreseen in Section XII of the Constitution of the Republic of Mali, a post of Commissioner for Northern Mali to the Head of State shall be created for a renewable period of five years, tasked with leading the implementation of the present Pact.

SECTION IV

ON CONSECRATION, SOLIDARITY AND NATIONAL UNITY IN NORTHERN MALI

A

MEASURES TO CONSECRATE NATIONAL SOLIDARITY

44. As stated in paragraph 11, Section II, two Funds shall be created for the reinsertion of displaced persons and assistance to the victims of the consequences of the armed conflict in Northern Mali:

- A Fund for Development;
- An Assistance and Compensation Fund for all victims of the consequences of the armed conflict.

45. These two funds shall be established and endowed within 30 days of signing the pact and shall be active for one year. They shall be managed by a bilateral Commission in which shall sit representatives of the Government and the Movements.

46. For the successful functioning of these Funds, the two parties shall appeal to the generosity of the Malian people and appeal for humanitarian and financial assistance to the international community.

47. A special development programme for Northern Mali shall be decreed for a period of ten years and launched in two successive five year periods.

48. The aim of this programme shall be reduce the inequalities between Northern Mali and the rest of the country in the economic, social and cultural domains. It shall also be designed to strengthen the infrastructure of Northern Mali in order to attract investment in the region.

49. The special development programme shall be elaborated and its finance plan agreed within 6 months of signing the present pact. The regional assembly and the national assembly shall submit their plans for this to the Government.

50. The special development programme shall be approved by the Government. The resources for the programme shall be announced in five year envelopes. These credits shall be provided by the State, in annual tranches to each of the assemblies of the regions of Northern Mali which shall ensure their management and implementation.

51. A preferential and incentivising fiscal regime shall be defined for Northern Mali, in order to encourage investment. It shall be announced within 3 months of signing the Pact and shall remain in force for ten years.

B

MEASURES TO CONSECRATE NATIONAL UNITY

52. Awhile taking into account the minimum qualifications necessary, the government shall make a particular effort to ensure the integration of members of the Movements and persons from Northern Mali in the central institutions of the Chief of Staff of the National Defence and other security units.

This measure, which shall be carried out within two months of signing the Pact, is designed to consolidate confidence and to involve a significant number of the Malian population in the national defence.

53. In addition, and in the same spirit, the Government shall endeavour to integrate members of the Movements and persons from Northern Mali in the different bodies of public and parapublic Administration, while bearing in mind the qualifications needed.

This measure shall be carried out within two months of signing the Pact, also with a view to consolidating the spirit of reconciliation and confidence, and in an attempt to ensure equal representation of the populations of each region in the apparatus of the State.

54. In order to ensure their full representation in the National Assembly and in order to ensure real participation of the populations of the North, including persons displaced by the conflict, four seats shall be created on an exceptional basis during the first legislature which shall be reserved for displaced persons from Northern Mali.

55. These seats shall be filled by elections which shall be organised following the repatriation programme for displaced persons, and no later than 130 days after signing the present Pact.

56. In addition to the above mentioned seats, there shall be two seats ensuring the representation of Malian people, essentially from the North, who are living abroad, and this within the framework of seats in the National Assembly reserved for Malians living abroad, which shall be endowed following the partial elections.

57. National unity requires equality of rights and responsibilities between all Malian citizens, and shall be best guaranteed by a programme of teaching and training equally applied across the national territory. In this regard, a special programme of civil and military training and education shall be developed for the populations of northern Mali, a programme which shall be extended by an egalitarian national scheme of education, for competences at the local, regional and national level. In addition, the populations of Northern Mali shall have access to bursaries distributed within the international cooperation framework, whether for offers made to the Malian state, or within the framework of cross border cooperation programmes between similar collectivities.

SECTION V

SUB-REGIONAL AND INTERNATIONAL COOPERATION

IN THE SERVICE OF PEACE AND DEVELOPMENT

58. Convinced that solidarity and national unity shall develop naturally through African solidarity and unity, the Government of the Republic of Mali has reiterated its determination to support its work for national reconciliation and peace through efforts to promote sub-regional cooperation and development.

59. In this regard, the Government of the Republic of Mali shall redouble its efforts to restart cooperation between the States and peoples of the Organisation of Sahelian States, an essential partner of the other sub-regional organisations to which the Republic of Mali belongs.

60. In addition, the State of Mali undertakes to actively seek the support of relevant international organisations (FIDA, PNUD, AM, UNESCO, BAD, BID,...) to support efforts to redress the social, economic and cultural underdevelopment of Northern Mali.

61. Finally, the State of Mali shall appeal to its friendly neighbours, within the framework of intergovernmental cooperation, in the training and retraining of young people among the displaced populations of Northern Mali, who have either had no access to training, or have had to withdraw from it or receive training abroad.

SECTION VI

TIMETABLE FOR IMPLEMENTING THE PROVISIONS OF THE NATIONAL RECONCILIATION PACT

62. The two Parties undertake to respect the indivisible nature of the entirety of the clauses in the present pact. In order to ensure its tranquil implementation, free of any argument or misunderstanding, the two Parties commit to the following implementation timetable.

63. Seventy-two hours after its signature by the two Parties on Malian soil, the present Pact shall be promulgated in the *Official Journal of the Republic of Mali* by the Presidency of the Committee of Transition Committee for the Well-Being of the People (la Comité de Transition pour le Salut du Peuple, CTSP).

64. All of the provisions relating to the definitive cessation of hostilities described in Section II of the present Pact shall be implemented simultaneously, within 60 days of its signature, under the supervision and control of the Ceasefire Committee.

66. The Independent Commission of Inquiry shall be set up 15 days after signing the Agreement. It shall present its conclusions as agreed no more than 4 months after its installation. The appropriate judicial authorities shall be appraised of its conclusions 45 days after submission of the report to the Head of State.

In case of any delay in finalising the composition of this Commission, the provisions in paragraph 13 of the present pact shall be implemented to enable the launch of the Independent Commission of Enquiry.

67. Within 60 days of signing the Pact, the post of Commissioner for the North of Mali, charged with supervising implementation of the present Pact during a period of five years, shall be filled in consultation with the Movements.

68. Within 60 days of signing the Pact, the Funds for Development and Reinsertion of Displaced Persons and the Fund for Assistance and Compensation for victims of the consequences of the armed conflict, shall be set up and endowed.

69. The programme for voluntary repatriation of populations of the North displaced in the countries of the sub-region shall be launched sixty days after signing the Pact, with the support of the host countries, friendly countries and international humanitarian organisations, in coordination with the State and the Movements. This programme shall be completed within 60 days, with assistance for reinsertion provided by the Funds specified in paragraph 68 above.

During this period, assistance to persons staying in the interior of the country and damaged by the conflict, shall be distributed.

70. One hundred and thirty days after signing the Pact, that is ten days after completing the repatriation programme, partial elections shall be held for the seats of the national assembly created on an ad hoc basis for the first legislature, in favour of the displaced populations of Northern Mali.

71. The ad hoc integration of members of the Movements and of the populations of Northern Mali in the central institutions of the national defence and the public and parapublic authorities, shall be completed two months after signing the pact. A timescale shall be agreed for taking up posts.

72. Three months after signing the present Pact, the legislative and executive institutions concerned shall begin the preparation of necessary measures to set up the assemblies and the mechanisms specific to communes, cercles, districts, regions and the interregional assembly.

These measures shall be developed while respecting the irreversible provisions of the present Pact. They shall be prepared in close collaboration with the Monitoring Committee and the Commissioner for Northern Mali.

73. Six months after signing the present Pact, elections for the commune, district, cercle and regional assemblies shall be organised.

The interregional assembly shall be formed one month after election of the regional assemblies.

Installation of the Executives and Secretariat, as detailed in section V of the present Pact, shall take place in the month following their respective formation.

74. Six months after signing the present Pact:

A – Special units of the Army open to all members of the local populations shall be created, whose remit shall be restricted to preserving the integrity and external security of the national territory, and which are the subject of the last indent of paragraph 7 above;

B – The special development programme for Northern Mali shall be launched in accordance with the provisions in Section IV paragraphs 47 to 50;

C - The preferential and incentivising fiscal regime shall be decreed and applied in Northern Mali in accordance with the provisions in Section V paragraph 51;

D – The process of communal and administrative sub-division in Northern Mali set out in paragraph 27 above, shall be launched and finalised by the end of the year following signing of the present Pact.

SECTION VII

GUARANTEEING IMPLEMENTATION OF THE PACT

76. The two Parties confirm, acting in good faith and irreversibly committed to restoring national agreement and stability in the country and the sub-region, that the fundamental interests of the country in peace, unity and stability to which the present document aims to contribute, are the best guarantee of implementation of the present Pact.

77. The Governmental Party recalls that the Constitution of the Republic of Mali of January 12, 1992, consecrates the will of the Malian people to reconciliation and national harmony amongst all the people of Mali.

78. The Movements and Unified Fronts have confirmed their wish and that of the populations they represent, to resume their place in the Malian nation, with their rights restored, assuming a definitive peace based on application of the present Pact.

79. This is why the two Parties have formally expressed their commitment to the sincere, complete and unchangeable implementation of all the provisions in the present Pact.

80. Aware of their national and sub-regional responsibilities, the two parties take as witness to this formal commitment, the Malian people, the Mediator, Mali's friendly and neighbour countries and other friends invited to the formal signature ceremony of this National Pact.

81. In order to prevent any misunderstanding of the sincere and loyal implementation of this Pact, and also of the Ceasefire Committee referred to in paragraph 8 of the present document, the two Parties shall establish a Monitoring and Implementation Committee for the present Pact.

82. This Committee shall be set up within 15 days of signing the present Agreement and shall operate for one year.

The Monitoring Committee shall be permanently made up of four representatives each from the two Parties. It shall be chaired regularly in alternate months by one of the two Parties, beginning with MOFU.

83. The Monitoring Committee shall hold occasional special meetings chaired by the Mediator who shall nominate his representatives.

These meetings, tasked with examining and proposing solutions for all disagreements arising from implementation of the present Pact, shall take place in the second and third months after the Agreement is signed, then after the second quarter, and then following the second half-year following its signature. They shall be verified with Minutes and Press Releases.

83b. As agreed following their third meeting in Algiers during which they announced their intention to consult their respective membership on the Agreement, the two Parties proceeded to this consultation.

Following this, the two Parties confirm their acceptance of the National Pact. In addition, they agree that the provisions and practical measures for implementation of the approved text shall be decreed during the first meeting of the monitoring committee chaired by the Mediator two months after signature of the National Pact.

For MFUA, these provisions and practical measures shall be approved by the General Secretaries of MFUA during the first meeting of the Monitoring Committee of the Pact.

FINAL PROVISIONS

84. The present Pact of national reconciliation shall be published in three original copies in the French language, signed by each of the Parties. One original copy shall be kept by each of the two Parties and by the Mediator.

85. The observers invited to the signing ceremony and asked to be witnesses shall each receive a copy of the present Document.

86. The present Pact shall be published in the *Official Journal of the Republic of Mali* by the Presidency of the Transitional Committee for the Well-Being of the People.

Done at Bamako, April 11, 1992

Signatures