

**PRELIMINARY AGREEMENT FOR THE PRESIDENTIAL ELECTION
AND INCLUSIVE PEACE NEGOTIATIONS IN MALI**

The National Unity Government of Transition

of the Republic of Mali, on one hand,

and

The Coordination of the Azawad National Liberation Movement (MNLA) and the High Council for the Unity of Azawad (HCUA)

on the other;

hereinafter known as the Parties;

Preamble

Wishing to re-establish and maintain peace and security throughout the national territory and particularly in the regions of northern Mali;

Reaffirming their determination to build a State of democratic law and prosperity, guaranteeing the rights of citizens and harmonious and sustainable development in Mali;

Reaffirming their attachment to the Constitution of the Republic of Mali of February 25, 1992;

Determined to find a just, fair and durable solution to the crisis in the north of Mali by means of dialogue and negotiation;

Conscious of the need to promote true national reconciliation as the basis of sustainable peace in Mali;

Deeply attached to the values of democracy, good governance, justice and the protection and promotion of human rights in accordance with the relevant international instruments;

Wishing to combine their efforts and energies by dialogue and agreement in order to provide Mali with legitimate Republican institutions, in particular by organising the presidential election in July 2013;

Considering the demands made by the armed groups of Northern Mali with regard to the basic causes of the crisis;

Referring to the goals and principles enshrined by the United Nations Charter, the founding act of the African Union, and the revised CEDEAO treaty;

Reaffirming their respect for the principles of the communique issued at Ouagadougou on December 4, 2012, including:

- the use of dialogue and negotiation to reach a fair and definitive political solution to the crisis;
- respect for national unity and the territorial integrity of Mali;
- respect for the republican and secular nature of the State;
- respect for Human Rights, human dignity, and fundamental and religious liberties;
- protection of the national heritage;
- respect for equality of all Malian citizens;
- rejection of all forms of terrorism and extremism;
- respect for Malian communities.

Determined to fight against terrorism, the criminal economy and all forms of impunity;

Reaffirming their respect for all the resolutions of the United Nations Security Council concerning Mali, in particular resolution 2100 of April 25, 2013 and the relevant decisions of the UA Council on Peace and Security and CEDEAO on Mali;

Under the auspices of His Excellency Mr Blaise COMPAORE, CEDEAO Mediator, and His Excellency Mr Goodluck Ebele JONATHAN, Associate Mediator, and with the facilitation of the African Union, the UN, the European Union, France, Switzerland, Algeria, Mauritania and Niger.

Agree the following:

CHAPTER I: GENERAL PROVISIONS

Article 1

The signatory Parties to the present Agreement shall engage with the process of dialogue, in order to emerge from the crisis in Northern Mali, in two phases:

1. before the presidential election
2. after the presidential election and the formation of the Government.

Article 2

The Parties shall accept the organisation of the presidential election throughout the national territory.

To this end they shall establish the conditions needed to organise and hold the presidential election in July 2013 in the northern regions and in particular in the region of Kidal.

Article 3

After election of the President of the Republic and the formation of the Government, the Parties shall begin an inclusive dialogue to find a definitive solution to the crisis.

CHAPTER II: CREATION OF FAVOURABLE CONDITIONS FOR A PRESIDENTIAL ELECTION

I. CESSATION OF HOSTILITIES

Article 4

In order to create favourable security conditions, in particular for organising and holding a free and transparent presidential election throughout the national territory, the Parties undertake to definitively cease all hostilities and to observe a ceasefire.

Article 5

The ceasefire shall enter into force from the date of signature of the present Agreement.

Article 6

The disarmament of armed groups required by CEDEAO, the African Union and the United Nations Security Council shall be accepted by all. The first stage in this disarmament is the cantonment of armed group elements.

This disarmament shall be completed, after signature of the global and definitive peace agreement, within the framework of the disarmament, demobilisation and reinsertion process (DDR).

Article 7

The day after signature of the present Agreement, a Joint Technical Security Committee shall be set up. Chaired by the commander of MISMA/MINUSMA, this Joint Technical Security Committee, which is the decision-making organ for the ceasefire, shall be tasked with:

- observing the ceasefire;
- as soon as possible after signature of the present Agreement, developing the ceasefire measures to be taken, including in particular the security measures, the cantonment and disarmament of armed groups in the north of Mali as well as the active redeployment of defence and security forces in Mali;
- investigating any violations of the ceasefire using joint verification and observation groups created for this purpose;
- verifying and monitoring the security arrangements.

The Joint Technical Security Committee shall be based in Mali.

Article 8

The Joint Technical Security Committee shall be made up of:

- 4 representatives of the defence and security forces of Mali;
- 4 representatives of the signatory armed groups
- 1 MISMA/MINUSMA representative;
- 1 representative of the Serval Force;
- 1 representative of the Mediator;
- 1 representative of the CEDEAO Associate Mediator;
- 1 representative of the African Union.

The Joint Technical Security Committee shall be supervised by the Monitoring and Evaluation Committee, established in article 16 of the present Agreement.

Article 9

The Joint Technical Security Committee shall have a Secretariat made up of senior MISMA/MINUSMA officers. It shall be based at Gao. It may meet anywhere as convened by the commander or his representative.

The Joint Technical Security Committee shall be assisted by joint observation and verification teams made up of MISMA/MINUSMA soldiers, and a representative of each Party. These joint teams shall be tasked with verifying any ceasefire violations and any incidents relating to observation of the ceasefire. They shall report these to the Joint Technical Security Committee.

The joint observation and verification teams shall be authorised to carry out their mission in any circumstances, including where one or several representatives do not participate. The Parties shall ensure the security and respect the liberty of movement of these teams.

Any disputes identified by the teams shall be dealt with internally and failing this, referred to the MISMA/MINUSMA force commander or his representative for a final decision, with the support of the Joint Technical Security Committee.

If the question is of a political nature, the Committee may refer it to the Monitoring and Evaluation Committee foreseen in article 16.

Article 10

Pending the elaboration of the ceasefire measures, the Parties shall agree on the following measures:

- cessation of all military operations;
- cessation of any attempts to occupy new ground positions;
- the deployment of MISMA/MINUSMA at Anefis and in the region of Kidal;
- protection of civilian populations;
- the cessation of all acts of violence, arbitrary arrests, acts of torture or harassment, summary detentions and executions, the use of child soldiers, sexual violence, arming of civilians, as well as the formation and use of terrorists;
- the progressive deployment of Human Rights observers.

Article 11

In applying Article 5 above, the Parties agree to implement, under the supervision of MISMA/MINUSMA, the following measures:

- Within the framework of the disarmament process which shall be finalised following signature of the present global and definitive peace agreement, the signatory armed groups shall proceed immediately with the cantonment of their elements, supervised and supported by MISMA/MIUSMA, as well as the first participation of the Serval Force, in locations to be jointly agreed;

- The progressive deployment of Malian Defence and Security Forces in the region of Kidal following signature of the present Agreement, in close cooperation with MISMA/MINUSMA and the Serval Force. This deployment shall include putting in place as soon as possible the first elements of the Kidal Defence and Security Forces, jointly with MISMA/MIUSMA and the Serval Force.

II. The normalisation process

Article 12

The Parties shall facilitate the establishment of the general administration and basic social services in Northern Mali.

Article 13

The Parties shall facilitate the deployment of humanitarian aid in Northern Mali and encourage the voluntary return of persons displaced due to the armed conflict and refugees, with the support of Mali's partners.

Article 14

The parties shall ensure the free movement of persons and goods and respect fundamental liberties.

III. Implementation, monitoring and confidence-building measures

Article 15

The Parties shall refrain from any act or proposition which might compromise the peace process. They shall take all necessary measures to reinforce confidence and national cohesion.

Article 16

The Parties shall set up a Monitoring and Evaluation Committee chaired by the Special Representative of the UN Secretary General. It shall be composed of two Government Representatives, two representatives of the signatory armed movements, a representative of the

Mediator and of the Associate Mediator of CEDEAO, and of the CEDEAO Commission, the UA, EU, UN, OCI, and of Algeria, France, Mauritania, Niger, Switzerland and Chad

Article 17

The Monitoring and Evaluation Committee shall be tasked with:

- monitoring implementation of the security arrangements;
- evaluating application of the Agreement;
- helping to identify financial resources and the necessary technical assistance to implement the Agreement;
- supporting implementation of the Agreement within the agreed timescale.

Article 18

As soon as possible the Parties shall set up an international inquiry into war crimes, crimes against humanity, crimes of genocide, sexual crimes, drug trafficking and other serious violations of international humanitarian law and Human Rights throughout Malian territory.

In addition the Parties undertake to implement appropriate confidence-building measures to facilitate implementation of the present Agreement.

In this regard, they shall release persons detained because of the armed conflict as soon as the ceasefire enters into force.

Article 19

The Parties shall reject all forms of extremism and terrorism, and refrain from providing any material or moral support to terrorist groups or criminals. In addition they shall work with international forces to combat terrorism and criminality.

Article 20

The Parties undertake to inform the population about the provisions of the present Agreement.

To this end the Government of Mali and the armed groups of Northern Mali shall organise a forum for the communities of northern Mali.

CHAPTER III: THE POST ELECTORAL PROCESS

I. The Dialogue Framework

Article 21

Following the presidential election and sixty (60) days after its formation, the new Government of Mali, in collaboration with the Dialogue and Reconciliation Committee, and the support of the international community, shall begin peace negotiations with all the communities of the north, the signatories and the armed groups who have signed the Agreement, in order to begin to establish a global and definitive peace.

This inclusive dialogue shall address among other the following questions:

- the administrative and institutional organisation of Mali, in particular the northern regions known by some as Azawad;
- the integrated development strategy for the territorial collectivities of Mali;
- the reorganisation of the defence and security forces as well as the programme of disarmament, demobilisation and socio-economic reinsertion (désarmement, démobilisation et réinsertion, DDR) of the armed groups of Northern Mali ;
- improvement of administrative, economic and political governance;
- the return of refugees and displaced persons and their reinsertion;
- the protection and promotion of human rights in Mali;
- justice and reconciliation.

II – FINAL AND MISCELLANEOUS PROVISIONS

Article 22

In implementing the present Agreement, the Parties shall collaborate closely with the representatives of the African Union, the United Nations and of the Mediator.

Article 23

In case of any difficulty in implementing or interpreting the provisions of the present Agreement, the parties undertake to find a mutually acceptable solution. Failing this they shall refer to a representative of the African Union, the United Nations or OF the CEDEAO Mediator.

Article 24

Other existing Malian armed groups who agree to unconditionally support its provisions may sign the present Agreement.

Article 25

The provisions of the present Agreement shall remain in force until the signature of a global agreement for an end to the crisis.

The present Agreement which indicates the confirmed desire of the Parties to preserve the integrity of the national territory, national unity, the secular and republican nature of the state and to maintain peace and security throughout the national territory, enters into force upon signing.

Done at Ouagadougou, June 18, 2013

Signatures