

THE
CARTER CENTER



REPORT ON THE
SEMINAR ON THE INDEPENDENT OBSERVER'S OBSERVATIONS
AND RECOMMENDATIONS

Held on February 16 and 17, 2022, in Bamako

On Feb. 16 and 17, 2022, the Independent Observer of the Agreement for Peace and Reconciliation in Mali, resulting from the Algiers Process (Agreement), organized a seminar with key stakeholders on its observations and recommendations about the implementation of the agreement. The seminar was held under the auspices of the Ministry of National Reconciliation, Peace, and Social Cohesion, in collaboration with the Office of the High Representative of the President of the Transition for the implementation of the Agreement and all the parties to the Agreement.

The seminar, the first of its kind, brought together the key stakeholders in the implementation process, including representatives from the Signatory Parties, the organs of the implementation process, the International Mediation, and concerned ministries. More than 90 people participated in the two-day event at the Radisson Collection Hotel in Bamako.

Thanks to active engagement by participants and the constructive spirit of the discussions in two plenary sessions and four working groups, representatives from all parties, in an atmosphere of openness, examined the Independent Observer's recommendations and formulated shared proposals to lend new impetus to implementation.

Nearly seven years after its signing, the agreement is regularly called into question, with implementation subject to periods of extreme slowness. **Yet one of the main conclusions that the Independent Observer draws from the seminar is that all participants continue to express commitment to the Agreement.** Despite preconceptions and fears, the Agreement remains a fundamental pillar of peace and reconciliation in Mali.

Minister of National Reconciliation Colonel-Major Ismaël Wagué stressed in his remarks in a working group session that the government is committed to continuing – even accelerating – implementation, particularly the demobilization, disarmament, and reintegration (DDR) process for ex-combatants. The Signatory Movements and the Movements of Inclusivity, represented at the opening ceremony by Alghabass Ag Intalla, reaffirmed their commitment to the agreement and expressed hope that the seminar would enable progress. Speaking on behalf of the Monitoring Committee (*Comité de suivi*, or CSA, in French), Algerian Ambassador El-Haoues Riache reiterated its continued support to the parties and called the seminar an important step in improving implementation. (Algeria is also the leader of International Mediation.) El-Ghassim Wane, the representative of the United Nations secretary-general in Mali, emphasized the central place of the Agreement in the interlinked stabilization and peace processes in Mali.

This report outlines proposals developed collectively by seminar participants. Consistent with Article 63 of the Agreement, this report also includes actions the Independent Observer will take to follow up on the seminar as part of its continued engagement with the parties and the International Mediation to support accelerated and effective implementation of the Agreement.

I. JOINT PROPOSALS TO ADVANCE IMPLEMENTATION

In this section, the Independent Observer summarizes the proposals and vision shared by the participants during the seminar, notably in the four working groups. Each working group presented its discussions in the plenary session.

Some of the proposals are specific and immediate, while others identify long-term objectives. Given that these proposals emerged following candid, well-informed dialogue among representatives from all parties, they may well form a solid basis for the next steps in the implementation process.

A. FUNDAMENTAL PRINCIPLES SHARED BY ALL PARTICIPANTS

Participants agreed on the following fundamental principles and needed, immediate actions:

- The government is the main driver of implementation of the Agreement.
- The parties must work to restore mutual confidence.
- The Inter-Malian Consultation Framework must be revitalized.
- The parties must strengthen and promote national ownership of the Agreement.
- The parties must take immediate and concrete actions to create peace dividends for the benefit of the population.
- The agreement's monitoring bodies must be revitalized and refocus on their roles.
- The implementation of the Agreement must be balanced across its four pillars.

B. COMMON PRIORITIES IDENTIFIED BY ALL PARTICIPANTS

To guide the next steps in the implementation process, participants identified the following common priorities for each of the Agreement's four pillars:

Political and Institutional Issues

- Expedite constitutional reform such that it reflects the relevant provisions of the Agreement.
- Complete the administrative and electoral redistricting process.
- Complete the transfer of 30% of the national budget and the decentralization of government services to the *collectivités territoriales*.

Defense and Security Issues

- Convene the long-awaited Decision-Making Meeting (RND in French) by March 15, 2022, with the aim of officially agreeing on the terms of DDR and the integration of the Signatory Movements' ex-combatants into the defense and security forces as well as other government bodies.
- Complete the accelerated DDR process (to be determined at the RND).
- Expedite the comprehensive DDR process (to be determined at the RND).

Socioeconomic and Cultural Development

- Accelerate the implementation of projects selected for funding by the Sustainable Development Fund (FDD), including the procurement process.
- Launch the second phase of project funding from the remaining FDD resources.
- Adopt and implement the Plan for the Return of the Administration and Basic Social Services.
- Resolve the issue of the Signatory Movements' participation in the FDD Steering Committee.
- Provide training to the interim authorities to support them in managing the resources and services transferred from the state.
- Pursue local-level education reform and encourage cultural exchange across Mali.

Reconciliation, Justice, and Humanitarian Issues

- Finalize the adoption of the law on reparations for damages caused by serious human rights violations.
- Expedite the establishment of the organ for managing reparations.
- Set up mechanisms to implement and monitor the recommendations of the International Commission of Inquiry.

C. SHARED VISION OF FULL IMPLEMENTATION OF THE AGREEMENT

Participants developed a common vision to guide the implementation of the Agreement.

“The agreement will be fully implemented when:”

- Core Principles:
 - The full territorial integrity and sovereignty of the republic of Mali are ensured.
 - Respect for Malian diversity, strengthened social cohesion, and agreement on the term “Azawad” are ensured.
 - Balanced economic development is ensured in all regions.
 - Greater representation of northern populations within national institutions is ensured.
 - Strengthened social justice is ensured.
 - National ownership of the Agreement is ensured.
- Political and Institutional Issues
 - Locally driven administration and governance are established.
 - The (revised or new) constitution takes into consideration relevant provisions of the Agreement.
 - Government-provided social services are decentralized as part of the reorganization of administrative structures.
- Defense and Security Issues
 - The army is reformed and is both fully representative of the nation. and adapted so that it can meet security needs.
 - Local security is ensured.
 - The disarmament of the Signatory Movements, as part of general disarmament, is achieved.
 - Safe, free movement throughout Mali is ensured.
- Socioeconomic and Cultural Development Issues
 - The Northern Regions Development Zone is set up and functioning, i.e., its projects are impacting target areas, and development gaps among regions are reduced.
 - Economic development in the north is improved.
 - Basic social services function.
 - Educational curricula are adapted to all areas and local contexts, including regular cultural exchanges between regions of Mali.
 - Thirty percent of the national budget, as well as government-provided social services, are regularly transferred from the central government to local governments.
 - The Interregional Consultative Council is operational.
- Justice, Reconciliation, and Humanitarian Issues
 - Displaced people and refugees have returned.
 - Emergency humanitarian actions occur in a safe environment.
 - There is a widespread feeling among the population that victims of violence have been fairly compensated.
 - *Cadis* are integrated into the formal judicial system through a system of complementary judicial services (with the specific formula to be identified).

- A Center for Historical Memory exists.
- The reports of the International Commission of Inquiry and the Truth, Justice, and Reconciliation Commission are widely circulated in the country.

D. JOINT PROPOSALS TO STRENGTHEN THE WORKING RELATIONSHIP BETWEEN THE PARTIES AND THE INDEPENDENT OBSERVER

Participants welcomed the role of, and requested additional interaction with, the Independent Observer. They also made multiple proposals to the Independent Observer, which are summarized below (for a full list of proposals, see the annex):

- Based on enhanced interaction with concerned ministries and the organs of the implementation process, deepen the collection and analysis of up-to-date information and data needed to prepare Independent Observer's reports.
- Request that government administrative services respond in a timely manner to requests for information.
- Continue to organize periodic meetings with the parties.
- Return to the practice of holding an exchange with the parties on draft reports prior to their final publication.
- Identify new ways of highlighting the key points and recommendations in the Independent Observer's reports, so that the parties can maximize their use.
- Ask the stakeholders in the implementation process to distribute reports and recommendations widely and do not lose sight of progress and achievements of the implementation process.

The Independent Observer greatly appreciated these exchanges and has already integrated several of the proposals into its commitments to follow up on the seminar (see Part III).

II. PARTICIPANTS' PROPOSALS TO REINVIGORATE THE ORGANS AND MONITORING BODIES OF THE IMPLEMENTATION PROCESS

- **Reinvigorate the Monitoring Committee's subcommittees, with the aim of strengthening the sharing of information between the parties and the effective presentation of information to decision-makers.**
 - The subcommittees should meet regularly, independently of CSA sessions.
 - The duration and frequency of subcommittee meetings should be increased, with an improvement in the preparation and planning of sessions.
 - Each participating member should designate a substitute who can contribute fully to discussions if the member is absent. The member and substitute should keep one another regularly informed to ensure continuity. An official correspondence from the Minister of National Reconciliation should establish the names of the members and substitutes.
 - The co-chairs should schedule additional meetings outside of regular sessions to address outstanding issues and should contact members to ensure attendance.
 - The CSA should explore ways to address increased financial and travel-related barriers faced by some subcommittee members.
 - Subcommittee should hold dynamic, regular exchanges, including through informal dialogues and the use of new technology.
 - Subcommittee reports should be archived.
 - Subcommittee reports should be presented at CSA sessions.

- **Improve how the CSA considers the work and proposals of the subcommittees.**
 - Between subcommittee meetings and CSA sessions, internal coordination within parties should be increased. A schedule that allows sufficient time for internal discussions and information sharing within each party would support this step.
 - Subcommittee reports should be made available sufficiently in advance of CSA sessions to allow them to be integrated into the planning of the sessions.
- **Strengthen the CSA's monitoring and decision-making roles, particularly given the breakdown of the Inter-Malian Consultation Framework.**
 - CSA sessions should be more frequent and last longer.
 - The CSA should hold, as needed, meetings with high-level authorities who are not members of the CSA.
 - The CSA's decisions should not be challenged or contradicted by actions contrary to those decisions.
 - The parties should be better prepared for CSA sessions. Pre-session planning meetings by the parties would contribute to achieving this objective.
 - The secretariat of the CSA and the co-chairs of the subcommittees should develop a detailed agenda for CSA sessions that accounts for the conclusions of the subcommittees.
- **Ensure closer and more regular monitoring of commitments made by the parties in the CSA.**
 - The secretariat of the CSA and the co-chairs of the subcommittees should hold, no later than two weeks after each CSA session, a meeting to follow up on decisions and recommendations made during the session.
 - The communiqués of the CSA should be adopted during the session and the statement of conclusions from the meeting issued no later than three days after the session.
 - MINUSMA's agreement implementation matrix should be used as a tool to assist the CSA in monitoring implementation.
 - The CSA's vice presidents should proactively follow up on assignments delegated to them by the CSA president (for example, the vice presidents could have an enhanced role in monitoring and supporting a particular theme).
- **Reinforce the CSA's coordination of implementation across the whole of the Agreement.**
 - To improve implementation, the CSA can and should, if necessary, modify the structures and bodies of the implementation process.
- **Reinforce the CSA's role in ensuring accountability and the parties' ownership of the Agreement.**
 - Resume the holding of CSA sessions outside of Bamako, extending sessions over several days in order to meet local stakeholders and inform the public about the implementation process.
 - Promote CSA field visits.
- **Reinforce the international community's role in supporting the Agreement and serving as its guarantor.**
 - A key, unresolved issue is the CSA's power of arbitration in the case of persistent, unresolved difficulties among the parties. This could be helped by the parties' agreeing that the CSA's decisions are final and binding.
- **Strengthen communication between the International Mediation and the government.**
 - Periodic meetings should be held between the president of the CSA, members of the Mediation, and the prime minister or president of the Transition to review the status of implementation and address critical issues.
 - The International Mediation's role in promoting understanding and national ownership of the Agreement should be enhanced.

- The International Mediation should periodically inform the public about the status of implementation.
- **Revitalize the Inter-Malian Consultation Framework, which is needed ensure effective decision-making by the parties.**

III. THE INDEPENDENT OBSERVER'S COMMITMENTS, SUGGESTIONS, AND ACKNOWLEDGMENTS

In this section, the Independent Observer describes the steps it plans to take to follow up on seminar participants' suggestions for improving implementation (including relations between the parties and the Independent Observer and its own suggestions for ways the seminar can serve to further support the implementation of the Agreement.

THE INDEPENDENT OBSERVER'S COMMITMENTS FOR EFFECTIVE FOLLOW-UP TO THE SEMINAR

The Independent Observer plans to:

- ❖ Follow up on the consensual proposals (as listed above) developed during the seminar. The Independent Observer will maintain a table of these proposals, which will be made available to CSA members and other key implementation stakeholders.
- ❖ Communicate publicly about the seminar. This step includes this report and a video about the seminar, both of which will be widely disseminated.
- ❖ Continue to strengthen its dialogue with the Signatory Parties and other stakeholders in the implementation process.
- ❖ Formally request information from the organs and ministries involved in the implementation process, with the aim of strengthening the collection of updated, accurate information. This step draws on the on the spirit of collaboration during the seminar as well as on discussions about the need for the government to respond more quickly to enquiries from the Independent Observer.
- ❖ Within the framework of the independence and impartiality conferred by the Independent Observers' mandate, continue to hold briefings with the parties to discuss forthcoming reports.
- ❖ Remain proactive in supporting the Signatory Parties, the mediation, and the CSA, with the aim of contributing to accelerated, effective implementation. This step may include organizing more frequent working sessions with the parties, holding seminars tailored to developments, and producing focused documents that can be used by stakeholders in the implementation process.

THE INDEPENDENT OBSERVER'S SUGGESTIONS FOR FURTHER SUPPORT TO IMPLEMENTATION

To maximize the benefit of the seminar, the Independent Observer suggests the following steps to the Signatory Parties, the CSA, and the organs of the implementation process:

- ❖ Hold meetings between the Independent Observer and the Signatory Parties (i.e., representatives from each seminar working group) to consider potential concrete follow-up actions.
- ❖ Hold a meeting with the International Mediation to present the results of the Seminar and discuss follow-up actions.
- ❖ Include on the agenda of the next CSA session a presentation on the main results and proposals from the seminar, including an in-depth discussion of the parties' priorities and the concrete actions needed to implement those priorities.
- ❖ To strengthen the participation of the CSA's female members, hold a meeting between the Independent Observer and the female CSA members. During this meeting, the Independent Observer would present a status update on implementation, followed by a discussion on the course of implementation since 2015. This measure stems from requests made during the plenary session.
- ❖ Initiate regular discussions between the Independent Observer and the thematic focal points designated by the Ministry of National Reconciliation and other ministries involved in implementation, to ensure a fluid exchange of information. The meeting in 2021 between the Independent Observer and these focal points, to discuss the Comprehensive Assessment of Implementation (the Independent Observer's October 2021 report), could serve as a model for these types of dialogues.
- ❖ Present the observations and recommendations of each Independent Observer report to the CSA so that they can be fully exploited by the parties. If the CSA is not held within one month of a report's publication, the Independent Observer, in coordination with the leader of the International Mediation, could invite the parties on an ad hoc basis to discuss its observations and recommendations.

ACKNOWLEDGEMENTS

The Independent Observer would like to thank sincerely the government of Mali, the Signatory Movements, the International Mediation and its leader, Algeria, and, more broadly, all the stakeholders in the implementation process for their participation in the seminar and their continued trust in the Independent Observer. Their commitment and active participation fostered a high-quality discussion over two days. The proposals and common vision expressed are important. It is hoped that this report faithfully reflects the views expressed by participants, and the annex provides even greater detail. The Independent Observer looks forward to providing further support to all stakeholders as implementation advances.