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PEACE AND SECURITY COUNCIL
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**REPORT OF THE CHAIRPERSON OF THE COMMISSION
ON THE EVOLUTION OF THE SITUATION IN MALI**

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I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 10 of communiqué PSC/MIN/COMM.(CCCXIV) adopted by Council at its 314th meeting, held in Bamako, on 20 March 2012, which requested me to submit quarterly reports on the evolution of the situation in Mali.

2. The report takes stock of the development of the situation at the institutional level and with regard to the crisis in the northern part of the country, and provides an update on the efforts made to facilitate the search for a speedy solution to the present crisis. It concludes with observations on the way forward.

II. EVOLUTION OF THE SITUATION ON THE GROUND

3. During the last weeks, there have been important developments in the northern part of Mali. It should be recalled that, since March 2012, the region has been under the control of different armed, terrorist and criminal groups. These include, notably, the National Movement for the Liberation of Azawad (MNLA), Ansar Dine (Defenders of the Faith), the Movement for Unity and Jihad in West Africa (MUJAO), and Al Qaeda in the Islamic Maghreb (AQIM).

4. On 26 May 2012, the MNLA and Ansar Dine announced that they had concluded an agreement on a merger, following which the two movements proclaimed the establishment of an “Islamic State of Azawad” on the territories in the north. However, soon after, differences emerged between the “Islamist” and the “supporters of independence”, particularly with respect to the application of Sharia. The differences led to violent clashes between the MNLA and Ansar Dine in Tumbuktu, and between the MNLA and MUJAO in Gao, which resulted in many casualties. Since 27 June 2012, Ansar Dine and MUJAO control Gao and Tumbuktu and the main other areas in the northern part of Mali.

5. At the end of June 2012, elements of Ansar Dine began destroying the mausoleums of the Saints of Timbuktu, which the UNESCO World Heritage Committee had, a few days earlier and in response to a request by the Malian Government, decided to include on the list of endangered world heritage sites. In a communiqué issued on 2 July 2012, I strongly condemned those criminal and unacceptable acts. ECOWAS and a number of other international actors, including the United Nations Security Council, also expressed their firm condemnation. On her part, the Prosecutor of the International Criminal Court, Fatou Bensouda, stressed that those involved in the destruction of the cultural assets are liable to criminal proceedings under the Statute of Rome, for war crimes.

6. These acts of destruction of a rich cultural and spiritual heritage in the Sahel took place in a context characterized by an alarming human rights situation. By trying to impose their interpretation of religion, the extremist groups controlling northern Mali are upsetting the legendary lifestyle of the local people. According to reports emanating from

humanitarian agencies and human rights organizations, the separatist rebels and armed groups controlling the northern part of Mali have committed many war crimes, particularly rape, use of child soldiers and looting of hospitals, schools, aid organizations and government buildings. Reports also mention summary executions, amputation and public flogging.

7. As of 26 June 2012, the total number of internally displaced persons in Mali was estimated at 158,857, and that of Malian refugees registered in Algeria, Burkina Faso, Mauritania and Niger at 181 742. Like in other parts of the Sahel, northern Mali is also facing a serious food crisis, resulting from the severe drought of last year. Furthermore, the looting of warehouses belonging to NGOs, some of which have been chased away by extremist groups, undermines the availability of food aid. It should also be noted that, due to lack of fuel, the population is suffering from regular water shortages and electricity black outs.

8. Council will recall that in line with the Framework Agreement of 6 April 2012 on the restoration of constitutional order, the Speaker of the National Assembly, Dioncounda Traoré, became the Interim President, after the resignation of President Amadou Toumani Touré was formally acknowledged by the Constitutional Court, while Cheick Modibo Diarra was appointed Prime Minister. The latter, afterwards, formed a Government. Furthermore, several laws were adopted by the National Assembly. These include an amnesty law for the members of the National Committee for the Recovery of Democracy the Restoration of the State (CNRDRE) and their associates, on 18 May 2012; a law on the compensation of the victims of war and the insurrection of 22 March 2012, on 28 June 2012; a law on the extension of the term of the members of Parliament, on 28 June 2012 in line with the communiqué of the 319th meeting of the PSC, held on 24 April 2012, in which Council had stressed the expediency of extending the term of the MPs so that the National Assembly could continue to assume its prerogatives during the transitional period; and a law on the establishment of the Follow-up Committee on the Reform of the Defense and Security Forces, on 29 June 2012. With regard to the latter, it is planned that the Committee will integrate the members of the junta. Having an advisory role, the mandate of this structure is to help the Government to successfully carry out the mission of regaining control of the north and organizing elections.

9. While the armed terrorist groups are consolidating their grip over the northern part of the country, the institutions in Bamako, established within the framework of the process of the restoration of constitutional order, remain very fragile, because of the continued interference of the coup makers in the political process, which thus impedes their normal functioning. On 21 May 2012, demonstrators supporting the junta invaded the presidential palace, physically assaulted the Interim President in his office. The security forces did not take the necessary action to prevent the demonstrators from entering the palace. The President was, afterwards, evacuated to France for medical treatment. At the time of finalizing this report, he was still in Paris. This act of aggression took place on the day following the conclusion of the agreement between the Mediator and the CNRDRE, which provided for the President to stay in power until the end of the transitional period (12 months).

10. On 18 June 2012, the Permanent Mission of the Republic of Mali to the AU addressed a Note Verbale to the Chairperson of Council, copied to the Commission, on the evolution of the political situation in Mali. The Permanent Mission requested Council to

consider the lifting of sanctions against Mali, particularly the suspension of its participation in the activities of the AU, considering the important steps taken by Mali towards the restoration of constitutional order, including the dissolution of the CNRDRE.

11. On 9 July 2012, the Malian Government announced the decision to establish an independent elite force of 1,200 elements in charge of ensuring the protection of the main leaders and institutions of the Republic. The authorities stressed that this decision was taken in response to the legitimate concerns expressed by ECOWAS. This elite force is placed under the direct authority of the Prime Minister. The Malian Government pointed out, that in agreement with President Dioncounda Traoré, the Prime Minister has requested countries that are friendly to Mali to provide further training for this force and to enhance its material and logistical capacities.

III. EFFORTS AND INITIATIVES TO RESOLVE THE CRISIS IN MALI

12. During the period under consideration, the AU and ECOWAS, in close consultation with the countries of the region and the United Nations, have pursued their efforts to resolve the crisis in Mali. On 7 June 2012, at the initiative of the AU, the UN and ECOWAS, the inaugural meeting of the Support and Follow-up Group on the situation on Mali was held in Abidjan, Cote d'Ivoire, with the participation of many international partners. I chaired that meeting, which the Commissioner for Peace and Security, the President of the ECOWAS Commission and the Special Representative of the UN Secretary-General for West Africa also attended. The Minister of State, Minister of Foreign Affairs of the Republic of Cote d'Ivoire, Daniel Kablan Duncan, participated in the opening ceremony. The establishment of the Group was decided by Council at its 314th meeting, held in Bamako on 20 March 2012, to support the mediation process in the crisis in the northern part of Mali, before its mandate was expanded on 3 April 2012 to include the issue of the restoration of constitutional order following the coup d'état of 22 March 2012.

13. The Support and Follow-up Group reaffirmed the need to establish the necessary conditions to enable the transitional institutions to fully exercise their responsibilities in conditions of security and without any interference from the military junta and its civilian supporters. The Group requested the speedy identification of all the perpetrators and instigators of the assault against the Interim President; demanded that the junta be immediately dissolved and withdraw completely from the management of the transition; expressed its determination to adopt and scrupulously impose sanctions against all the military and civilian elements who undermine the transition; and requested ECOWAS, with the support of the AU, the UN and other international partners, to take the necessary measures to ensure the security of the leaders of the transition. At the same time, the participants encouraged the Malian stakeholders to initiate a national dialogue which would lead to the establishment of an inclusive and more representative Government. In a letter dated 7 June 2012, I transmitted the conclusions of the Abidjan meeting to the UN Secretary-General, requesting him to transmit the document to the members of the Security Council for their information and appropriate action.

14. On 12 June 2012, Council, at its 323rd meeting in New York, considered the situation in Mali. Council endorsed the Conclusions of the Abidjan meeting and expressed its full support to all efforts aimed at addressing, by peaceful means, the causes of the recurrent

rebellions in the northern part of Mali and to dialogue with the Malian groups that would commit themselves to negotiate on the basis of the AU principles. Council authorized ECOWAS, in collaboration as appropriate, with the core countries, namely Algeria, Mauritania and Niger, to put in place the necessary security and military arrangements towards the achievement of the following objectives: (i) ensuring the security of the transitional institutions ; (ii) restructuring and reorganizing the Malian security and defense forces of Mali; and (iii) restoring State authority in over the northern part of Mali and combating terrorist and criminal networks. Council called upon the UN Security Council to endorse, as matter of urgency, the envisaged deployment of an ECOWAS force in Mali. In order to enable the Security Council consider the request of the AU and ECOWAS, it was agreed that the two organizations, in cooperation with the countries of the region, the United Nations and other partners, should finalize the mandate, the concept of operations and other related documents. I forwarded the communiqué of Council to the UN Secretary-General by a letter dated 13 June 2012, requesting him to circulate it as a Security Council document.

15. The issue of Mali was also discussed during the 6th annual joint consultative meeting between Council and members of the UN Security Council, held in New York on 13 June 2012, as well as during the interaction between the Security Council and an ECOWAS delegation, also in New York, on 15 June 2012. On 18 June 2012, the Security Council adopted a press statement in which its members noted the request made by the AU and ECOWAS for the deployment of a stabilization force. The members of the Security Council stated their readiness to consider the request, once additional information was availed to them.

16. On 23 June 2012, and in pursuance of the communiqué of the meeting of Council in New York and the press statement of the Security Council, the Commission organized, in Addis Ababa, a consultative meeting to launch the preparatory process towards the elaboration of a strategic concept articulating, in a holistic manner, political, security and military measures for the speedy resolution of the crisis in Mali. Cote d'Ivoire, in its capacity as the current Chair of ECOWAS, Burkina Faso, Mediator, and Nigeria, Associate Mediator, the core countries, the United Nations and the European Union, as well as some permanent members of the Security Council, participated in the meeting.

17. On 29 June 2012, ECOWAS, at its 41st ordinary summit, held in Yamoussoukro, Cote d'Ivoire, considered once again the situation in Mali. The summit, in which I participated, strongly condemned the attempts of some marginal forces in Mali to obstruct the smooth functioning of the political transition, as well as the deployment of ECOWAS troops. The summit expressed its non-recognition of the CNRDRE and of the status of former head of state given to Captain Amadou Sanogo. The summit stressed the urgent priority to establish an expanded and inclusive Government; reaffirmed its support to the ongoing political transition in Mali; and mandated the Mediator, with the support of the Contact Group, to urgently establish a consultative framework, involving all the Malian stakeholders.

18. On that occasion, ECOWAS also decided to speed up the deployment of its Mission in Mali (MICEMA). In this respect, it was decided to send immediately a technical assessment mission to Mali, in order to prepare the ground for the imminent arrival of MICEMA, whose major initial task would be to ensure the security of the transitional institutions. At the time

of finalising this report, the technical assessment mission was in Bamako, with the participation of military officers from the AU Commission.

19. On 5 July 2012, the Security Council adopted resolution 2056 (2012) on the situation in Mali. The resolution covers notably the following aspects: restoration of the constitutional order, territorial integrity of Mali, rejection of the declarations of the MNLA, fight against terrorism, principle of the imposition of sanctions against rebel and terrorist groups, and support for the mediation efforts. As regards the first issue, the Security Council expressed its full support to the efforts made by ECOWAS and the AU, with the support of the UN; decided that the CNRDRE shall be dissolved; called for the perpetrators of the physical assault against the Interim President be brought to justice; took note of the decisions of ECOWAS and the AU to impose targeted sanctions in Mali, reserving the right to consider appropriate measures as necessary; and decided that the transitional authorities, within the framework of an inclusive national dialogue, shall develop a roadmap setting out the tasks to be carried out peacefully during the transition.

20. With regard to the territorial integrity of Mali, the Security Council demanded that the rebel groups unconditionally cease hostilities; expressed its support to efforts aimed at seeking a peaceful solution to the situation in the northern part of Mali, mindful of the sovereignty, unity and territorial integrity of the country; condemns the attacks and abuses against the civilian population, and stressed that attacks against building dedicated to religion or historic monuments can constitute a violation of the international law. The Security Council took note of the request of ECOWAS and the AU for a UN Security Council mandate authorizing the deployment of an ECOWAS stabilization force in Mali. It expressed its readiness to further examine this request, encouraging in this regard close cooperation between Malian authorities, the ECOWAS and AU Commissions, and countries in the region, in order to prepare detailed options. The Security Council requested the Secretary-General to contribute to efforts of regional and international actors, especially by supporting the work of the Support and Follow-up Group on the situation in Mali.

21. On 7 July 2012, the ECOWAS Contact Group on Mali met in Ouagadougou, at the invitation of the Mediator, President Blaise Compaoré. On that occasion, the members of the Group listened to messages of the Malian Government, the "*Forces vives*" and civil society on the way out of the crisis in Mali. The Heads of State adopted a number of decisions. On the consolidation of the constitutional order and the continuity of the State, they requested ECOWAS to take specific measures, jointly with the Government of Mali, in order to protect and strengthen the institutions of the Republic and to ensure their normal functioning, including the organization of the return of President Dioncounda Traoré and the guarantee for his physical security; called upon the Malian stakeholders to hold consultations, with a view to forming, before 31 July 2012, a Government of national unity; and urged the Government of Mali to adopt, without delay, a roadmap leading to a peaceful way out of the crisis, as well as to seize the National Assembly regarding the extension of the mandate of the members of the High Council of Territorial Communities and the Economic, Social and Cultural Council.

22. As regards the management of the crisis in the northern part of Mali, the Contact Group, having recalled that the territorial integrity and sovereignty of Mali, as well as the secular nature of the State and the freedom of religion, are non-negotiable, appealed to the

Malian stakeholders, including the armed groups, to embrace dialogue, urging them to dissociate themselves from the terrorist groups and extremism. The Group urged ECOWAS to enhance the capacity of the Malian army. It also urged the Interim President of the Republic to send a request to ECOWAS and to the United Nations for the deployment of a force to support the Malian army in its main mission of defending the national territory. The representative of the Mediator and that of the Chairman of ECOWAS went to Paris to brief the Interim President on the outcome of the Ouagadougou meeting.

23. The Mediation has initiated preliminary contacts with the MNLA and Ansar Dine, whose representatives were invited to Ouagadougou. During those interactions, the Mediation constantly recalled the imperative need to respect the national unity and territorial integrity of Mali, as well as that of a clear dissociation from the terrorist and criminal groups. Furthermore, the representative of the ECOWAS Mediator in the Malian crisis, Minister Djibrill Yipènè Bassolé, as well as the Special Envoy of the current Chairman of ECOWAS for Mali, Amara Essy, successively went to Algiers for consultations on the situation in Mali. The Malian Prime Minister, Cheick Modibo Diarra, after the visits he undertook to a number of ECOWAS countries, particularly Côte d'Ivoire and Burkina Faso, went to the core countries, non-members of ECOWAS, namely, Algeria and Mauritania.

24. Throughout the period under consideration, the Commissioner for Peace and Security and I maintained close contact with ECOWAS, the core countries and international partners. We seized all opportunities to stress the determination of the AU to work for a speedy resolution of the crisis and the need for a coordinated regional approach, so as to enhance the effectiveness of the collective African efforts on the situation in Mali.

25. Furthermore, a delegation of the African Centre for the Study and Research on Terrorism (ACSRT), led by my Special Representative for Counter-terrorism Cooperation, Francisco Caetano José Madeira, paid a working visit to Bamako, from 23 to 25 June 2012. The aim of the mission was to collect comprehensive information on terrorist activities and organized crime in the northern part of Mali and to identify the modalities for an appropriate support for the efforts being deployed to address these challenges. The delegation met the Prime Minister, the Ministers of Defense and Interior and the Director-General of State Security.

IV. OBSERVATIONS

26. Undoubtedly, the situation in Mali and its regional repercussions constitute one of the most serious threats to the security and stability of the continent. The principles involved, namely respect for the national unity and territorial integrity of Mali, the rejection of terrorism and the recourse to armed rebellion to further political demands, whose trivialization incidentally jeopardizes the ongoing democratization processes on the continent, and the rejection of unconstitutional changes of Government, are of concern to all AU Member States. There is, therefore, a compelling need for a collective continental effort to address these challenges.

27. In view of the complexity and the issues at stake in the crisis in Mali, which, if not effectively addressed, will affect the whole continent, it is imperative that all countries in the region continue to work in close coordination. In this regard, the various decisions taken

by Council on the necessary pooling of efforts and coordination of initiatives in seeking a solution to the crisis in Mali continue to be of particular relevance. Moreover, such an approach, called for by the need to ensure coherence in the operationalization of the African Peace and Security Architecture, will strengthen African leadership and greatly facilitate the mobilization of assistance from international partners, particularly the United Nations.

28. I would like, once again, to commend the remarkable engagement of the Member States of ECOWAS, whose Heads of State and Government are leaving no stone unturned to help Mali meet the challenges facing it, as evidenced by the many summits that they have held on the issue. In this context, tribute should be paid to Presidents Alassane Dramane Ouattara of Côte d'Ivoire, current Chairman of ECOWAS, Blaise Compaoré of Burkina Faso, Mediator in the Malian crisis, Goodluck Jonathan, Associate Mediator, and the Presidents of the other member countries of the Contact Group, as well as to President Thomas Yayi Boni, current Chairman of the AU, for their commitment and sustained action. I note with satisfaction the interaction that has developed between ECOWAS and the core countries, and I encourage all those concerned to continue on this path, in accordance with Council's communiqué of 20 March 2012 in Bamako. I welcome the support of our international partners, notably illustrated by their active participation in the inaugural meeting of the Support and Follow-up Group and the adoption of resolution 2056 (2012). May I urge them to continue and intensify their support.

29. As pointed out above, the Malian crisis has two aspects: an institutional dimension in Bamako and the occupation of the northern part of the country by armed, terrorist and criminal groups. While the latter is clearly the one that poses the greatest threat to the viability of the Malian State, it remains nonetheless an undeniable fact that only a clarification of the institutional situation and the strengthening of the organs of the transition, including through the cessation of any interference of the military junta in the political life of the country and the return of the Interim President Dioncounda Traore, will enable the Malian State to mobilize all the necessary national capacity and support of international partners, to meet the challenge of preserving its unity and territorial integrity and fighting the terrorist and criminal networks. Consequently, it is urgent and imperative to establish an inclusive and more representative Government in Mali. Council may wish to endorse the conclusions of the meeting of the Contact Group of ECOWAS in this regard.

30. It is also important to continue to work towards the rapid conclusion of the initiatives taken regarding the protection of the transitional institutions and their leaders. I commend the efforts of ECOWAS and the countries of the region to this end, and reiterate the appeal of the AU to all the Member States and other members of the international community to provide to the Malian State and ECOWAS the necessary technical, logistical and financial support.

31. The efforts of President Compaoré to facilitate dialogue with the armed groups should be encouraged. As both ECOWAS and the AU, as well as a number of international partners, have stressed, this dialogue can only be held within the framework of the following fundamental principles: the respect for the national unity and the territorial integrity of Mali, which are non-negotiable; the rejection of the recourse armed rebellion to further political claims, which cannot be justified whatsoever; and the rejection of all links

with terrorist and criminal groups. The armed groups that are prepared to negotiate on the basis of the above-mentioned principles should understand that the offer for dialogue cannot last forever. Indeed, each passing day brings with it additional sufferings for the local people and strengthens the control of the region by the terrorist and criminal groups. That area today serves as a hub for different terrorist groups in the region and beyond. The threat is simply too serious to be allowed to perpetuate.

32. Simultaneously, immediate measures should be taken to impose sanctions against the terrorist groups and any other group or entity which continues to obstruct the efforts of the Malian State, ECOWAS and the AU, as well as other related measures as stipulated in the communiqué of 316th meeting of Council held on 3 April 2012. Pursuant to that decision, the Commission, including the ACSRT, in cooperation with the ECOWAS Commission and the core countries, is working towards the elaboration and finalization of the list of all the terrorist and other armed groups operating in conjunction with them on the territory of the Republic of Mali, in order to include them in the list of terrorist groups established by the AU.

33. Similarly, the necessary measures should be taken to support the reform and restructuring of the Malian army, in order to enable it to effectively play its role in the defense and preservation of the unity and territorial integrity of Mali. Naturally, the Malian army should play a leading role in any possible military action in the northern part of the country and, more generally, in the maintenance of peace, security and stability in Mali and in the Sahel region, as a contribution to the regional efforts being made in this respect. The structures established by the core countries should obviously be fully used in the fight against terrorism and related efforts, in a complementary and coordinated manner with ECOWAS and other concerned countries in the region.

34. The strategic concept on which the Commission is working at present, in consultation with ECOWAS and the support of international partners, will endeavour to articulate, in a more detailed manner, the African approach to resolve the crisis faced by Mali. The preparation of this concept and the operational planning currently being carried out by ECOWAS, with the participation of the AU, should be mutually supportive. Once adopted by the appropriate AU organs, the strategic concept will be submitted to the UN Security Council for it to serve as a basis for the adoption of another resolution that meets the requests of the AU and ECOWAS, taking into account all the relevant factors and developments.

35. I am particularly concerned about the humanitarian situation obtaining in the northern part of Mali. Urgent measures must be taken to enable the delivery of the much needed assistance to the populations concerned, caught between the abuses of the armed, terrorist and criminal groups and the impact of drought, particularly the nutritional crisis, affecting the Sahel. The approach of the month of Ramadan makes the situation particularly acute. I reiterate the condemnation by the AU of the violations of human rights being perpetrated by the different groups active in the northern part of Mali, as well as the senseless and unacceptable destruction of the cultural and spiritual heritage of this region. I intend to formally request the African Commission on Human and Peoples' Rights to carry out an investigation on the situation and to submit a comprehensive report with concrete recommendations on the measures to taken.

36. More generally, efforts should be made to address, in a sustainable and holistic manner, the multifaceted problems affecting the Sahel region. The strategy adopted by Council in Bamako, on 20 March 2012, offers an appropriate basis for a regional and continental action that is commensurate with the challenges at hand. Council may, therefore, wish to call upon all the stakeholders to situate their efforts within this framework.

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PSC Outcomes

Communiqués

2012-07-14

Communiqué of the 327th Meeting of the Peace and Security Council Held on 14 July 2012, Addis Ababa, Ethiopia.

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