

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

**Agreement/conflict level** Intrastate/intrastate conflict

### **Tuareg Wars (1962 - )**

#### Mali-Azawad

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

#### Niger-Air-Azawad

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

Close

Tuareg Wars (1962 - )

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

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

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

## Groups

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

**Indigenous people** No specific mention.

**Other groups** No specific mention.

**Refugees/displaced persons** No specific mention.

**Social class** No specific mention.

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## **Gender**

**Women, girls and gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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## **State definition**

**Nature of state (general)** No specific mention.

**State configuration** No specific mention.

**Self determination** No specific mention.

**Referendum** No specific mention.

**State symbols** No specific mention.

**Independence/secession** No specific mention.

**Accession/unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border provision** No specific mention.

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**Governance**

**Political institutions (new or reformed)**

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

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

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

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

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

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

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

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

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

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

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

## Elections

Page 1, Untitled preamble:

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

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

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

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

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

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

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

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

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

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

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

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

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

- The time period and timetable for the transition;

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

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



**Electoral commission** No specific mention.

**Political parties reform** No specific mention.

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

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

**Traditional/religious leaders** No specific mention.

**Public  
administration**

No specific mention.

## Constitution

Governance→Constitution→Constitution affirmation/renewal

Page 1, Untitled preamble:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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**Power sharing**

**Political power sharing** No specific mention.

**Territorial power sharing** No specific mention.

**Economic power sharing** No specific mention.

**Military power sharing** No specific mention.

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**Human rights and equality**

**Human rights/RoL general** No specific mention.

**Bill of rights/similar** No specific mention.

**Treaty incorporation** No specific mention.

**Civil and political rights** No specific mention.

**Socio-economic rights** No specific mention.

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## **Rights related issues**

**Citizenship** No specific mention.

**Democracy** Page 2, Chapter II: Establishment of transition organs, Article 5:  
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In the circumstances evoked in article 5 above, the signatory parties to the present agreement agree to establish the organs of transition described below, tasked with leading the transition process until the presidential election, with a duly revised electoral register accepted by all.  
a – A transitional Prime Minister, Head of Government, with full powers and a remit to lead the transition, manage the crisis in the north of Mali, and organise free, transparent and democratic elections in accordance with a roadmap, shall be appointed;  
[...]

**Detention procedures** No specific mention.

**Media and communication** No specific mention.

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

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

**Protection measures** No specific mention.

**Other** No specific mention.

## **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

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## **Justice sector reform**

**Criminal justice and emergency law** No specific mention.

**State of emergency provisions** No specific mention.

**Judiciary and courts** No specific mention.

**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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## **Socio-economic reconstruction**

**Development or socio-economic reconstruction** No specific mention.

**National economic plan** No specific mention.

**Natural resources** No specific mention.

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

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

<b>Business</b>	No specific mention.
<b>Taxation</b>	No specific mention.
<b>Banks</b>	No specific mention.

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**Land, property and environment**

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

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**Security sector**

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

<b>Parastatal/rebel and opposition group forces</b>	No specific mention.
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	No specific mention.
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## **Transitional justice**

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	Transitional justice→Amnesty/pardon→Amnesty/pardon proper Page 3, Chapter III: Adoption of accompanying legislation, Article 7: Given the exceptional circumstances in the country due to the war and in order to enable elections in proper conditions throughout the national territory, to reinforce social cohesion and national unity, a certain number of legislative texts accompanying the process of transition shall be voted in the National Assembly: a - A general amnesty law for the benefit of CNRDRE members and their associates; [...]
<b>Courts</b>	No specific mention.
<b>Mechanism</b>	No specific mention.
<b>Prisoner release</b>	No specific mention.
<b>Vetting</b>	No specific mention.



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

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## Implementation

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

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