

PEACE AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF NIGER AND THE COORDINATION OF THE ARMED RESISTANCE

PREAMBLE

The Government of the Republic of Niger and the Coordination of the Armed Resistance (CRA)

Convinced of the necessity of restoring peace in their country, of preserving national unity and of devoting themselves to tasks of social and economic development,

Conscious of the united, indivisible, democratic and social character of the Republic of Niger,

Wishing to put into practice the stipulations of the Constitution of 26 December, 1992, especially in its section X, Clauses 115 and 116, aiming at giving to the population the responsibility to manage their own affairs,

Have agreed on the following matters:

SECTION I – TERRITORIAL SUBDIVISION

CLAUSE 1: The Republic of Niger is divided into administrative circumscriptions in the following way:

- the Region
- the Department
- the Arrondissement
- the Municipality

CLAUSE 2: The Region, the Department and the Municipality are promoted into “collectivités territoriales” (territorial communities).

CLAUSE 3: The creating and the limits of the “Collectivités territoriales” (Regions, Departments, Municipalities) and those of the Arrondissements are settled by the law on proposal of the special committee where the representatives of the CRA will be members.

This law will also determine the fundamental principals of their free administration, their names, their competences and their resources.

SECTION II – THE ORGANISATION AND THE POWERS OF THE “COLLECTIVITÉS TERRITORIALES”

CLAUSE 4: The “Collectivités territoriales” will be equipped with Councils or Assemblies, elected by direct universal suffrage and the Presidents elected within them will be the head of regional, departmental and communal executives.

CLAUSE 5: Within the framework of their free administration, the elected Councils or Assemblies will govern their own affairs by deliberation in the fields planned by the law which are for example the budget, the conception, the programming, the carrying out, the follow-up and the evaluation of actions of economic, social and cultural development having a regional or a local interest.

CLAUSE 6: The Special Committee where the representatives of the CRA will be members will have the following mission:

a/ the drawing up of projects of organic texts (laws, regulations) in accordance with clauses 81 and 82 of the Constitution of the Republic of Niger, relating to the new administrative and territorial organisation as well as projects of modifying or complementary texts to the law about the free administration of the Arrondissements and the Municipalities.

b/ the proposition of a plan of the carrying out of adopted solutions with a classification of actions to take by the priority zones

c/ the evaluation of the human, financial and material means which will be mobilised and transferred by the State to the “Collectivités territoriales”.

SECTION III – REPRESENTATIVES OF THE STATE: THEIR POWERS

CLAUSE 7: The representation of the State will be provided by:

- one representative in the Region
- one representative in the Department
- one representative in the Arrondissement
- one Mayor elected in the Municipality.

The denomination of these representatives will be determined by the law.

CLAUSE 8: The representatives of the State will have the following mission :

a/ to supervise the application of the laws and regulations of the State within the limits of the territory of the administrative unit.

b/ to guarantee the control of the lawfulness *a posteriori* of decisions and actions taken by the “collectivités territoriales”.

c/ to give advice and assistance from technical State services to the “collectivités territoriales”, on their demand.

SECTION IV – URGENT MEASURES

CLAUSE 9: The Government of the Republic of Niger will take all necessary measures for the rehabilitation of the social and economic infrastructures, for the re-starting and launching of new projects in the zone affected by the conflict.

CLAUSE 10: The Government of the Republic of Niger will take the measures which will make possible the coming back, freely consented, and the reinsertion of refugees. These measures will be taken in relation with the CRA and with the help of friendly countries and international organisations.

SECTION V – THE TRUCE

CLAUSE 11: In order to permit the application of this present Agreement in all serenity a truce of three (3) months, renewable by tacit renewal, will be observed by the two Parties.

This truce will come into force starting from the date of the signing of the present document at zero hours (Niamey time).

During the truce the units of the “Forces Armées Nigériennes (F. A. N.)” (Nigerien Armed Forces) and the combatants of the CAR must cease all offensive actions and refrain from all activities susceptible of creating incidents of a kind that might compromise peace.

CLAUSE 12: The Government of the Republic of Niger engages to take all the necessary measures to eradicate the residual insecurity in order to provide free circulation of persons and goods.

To be able to do so,

- it engages to put an end to the action of all groups or armed bands (militias, brigades, etc.) susceptible of aggravating the climate of insecurity and of compromising the peace efforts.
- it engages furthermore during the truce, together with the CRA and according to the forms that will be defined, with one accord, with the help of the contact group, to check the action of armed individuals isolated in the zone concerned by the conflict.

CLAUSE 13: The two Parties engage furthermore to take all measures susceptible of reinforcing mutual trust and consolidating peace, such as the ones leading to the liberation of persons abducted or arrested within the framework of this conflict.

SECTION VI – FINAL ARRANGEMENTS

CLAUSE 14: The two Parties decide to create an International Committee of Investigation concerning the extortions. Its composition and functioning will be determined with one accord.

CLAUSE 15: A Follow-Up Committee will be established, the composition and functioning of which will be decided subsequently.

Meanwhile, a contact group formed by the mediation in harmony with the two Parties will be charged to facilitate the contacts in Niger and to watch over the application of the Agreement.

CLAUSE 16: The two Parties engage to continue the negotiations on those items that have not been addressed within the framework of this present Agreement, for example the question of security and defence forces as well as the question of economic, social and cultural development work.

CLAUSE 17: The Government of the Republic of Niger engages to look for financial means and necessary equipment for the execution of the present Agreement from friendly countries and international organisations.

The form of managing of these means will be defined subsequently.

CLAUSE 18: The two Parties engage to carry out the stipulations of this present Agreement within a limit of six (6) months, counting from the day of its signing.

Ouagadougou, 9 October, 1994.

For the Government of the Republic of Niger
Maï Maï Gana, High Commissioner of the restoration of peace

For the Coordination of the Armed Resistance (CRA)
Mano Dayak, President

For the Algerian mediation
Rabah Kerouaz, Ambassador

For the French mediation
Jean-François Nodinot, Plenipotentiary Minister

For the mediation from Burkina Faso
Salif Diallo, Minister in charge of the Missions of the Presidency of Burkina Faso.