

**Security Council**

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Letter dated 11 April 2023 from the Permanent Representative of Mali to the United Nations addressed to the President of the Security Council

Upon instructions from my authorities, I have the honour to transmit herewith the comments of the Government of the Republic of Mali on the quarterly report of the Secretary-General on the situation in Mali, covering the period from January to March 2023 (see annex).

I should be grateful if you would have the present letter and its annex brought to the attention of the members of the Security Council and issued as a document of the Council.

(Signed) Issa **Konfourou**
Ambassador
Permanent Representative



Annex to the letter dated 11 April 2023 from the Permanent Representative of Mali to the United Nations addressed to the President of the Security Council

[Original: French]

Memorandum of the Government of the Republic of Mali on the quarterly report of the Secretary-General on the situation in Mali, covering the period from January to March 2023

Introduction

The Government of the Republic of Mali has taken note of the quarterly report of the Secretary-General on the situation in Mali, covering the period from January to March 2023, submitted in accordance with Security Council resolution [2640 \(2022\)](#) on the mandate of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA).

As a general comment, the Government of Mali notes that, in the report, the Secretary-General includes factual information, in particular on the sociopolitical situation in the country, the implementation of the Agreement on Peace and Reconciliation in Mali, the security situation, the human rights situation, the humanitarian situation and the operational challenges facing MINUSMA.

The progress welcomed by the Secretary-General with respect to political and institutional reform, including the implementation of the transition timetable, has been achieved through the commitment of the Government, which is conducting the entire reform process in a participatory and inclusive manner in order to reach the broadest possible consensus on key transition issues.

At the same time, the operations to keep people and their property safe and stabilize the country, which are currently being carried out by the Malian defence and security forces with strict respect for human rights and international humanitarian law, will contribute to strengthening the peace dividend for the benefit of the population.

Specifically, the Government of Mali wishes to make the following observations in response to the report.

1. Political developments

The Government of Mali welcomes the Secretary-General's recognition of the progress made in the political and institutional reform process, in particular the approval, on 16 March 2023, of the draft constitution and its presentation by Transitional President and Head of State Colonel Assimi Goita on 20 March 2023 to non-governmental stakeholders, including representatives of political parties, civil society, movements that are signatories to the Agreement, and religious and traditional leaders.

In response to the concerns mentioned by the Secretary-General regarding the opposition of organizations and actors in Mali to the constitutional reform and regarding the withdrawal of the Coordination des mouvements de l'Azawad from the adoption process for the new constitution, the Government of Mali recalls that the political reform process, from its conception to its implementation, has been based on a participatory and inclusive approach, in accordance with the directives of the Head of State and, under his leadership, the Government will continue to work with the actors and stakeholders concerned in order to reach a broad consensus on the new

constitution that will bring Malians together and provide a lasting solution to the political and institutional instability in the country.

This process remains respectful of freedom of opinion and expression, as it enables political actors and members of civil society to express their views on the new draft constitution with no restrictions. This is a sign of the strength of freedom of expression in Mali, contrary to certain allegations.

As noted in the report, the expeditious implementation of the transition timetable remains a priority for the Malian authorities. Thus, the announced postponement of the constitutional referendum, initially scheduled for 19 March 2023, arose from the Government's desire to take the necessary steps to ensure the proper organization of the referendum through the full operationalization of the Independent Authority for Election Management, including the establishment of its regional chapters and the dissemination of the draft constitution.

The commitment of the transitional authorities to advance political progress in the conduct of the transition was also demonstrated by the adoption by the National Transition Council of amendments to the electoral law aimed at ensuring, among other things, the effective participation of all Malian citizens in electoral processes, the introduction of a secure biometric national identity card to prevent electoral fraud, and a reduction in the time frame for the establishment of the chapters of the Independent Authority for Election Management from six months to a maximum of three, in line with the planned end of the transition.

The implementation of political and institutional reforms will continue through the strengthening of consultations and dialogue with the Economic Community of West African States and the African Union, with a view to returning to a peaceful and secure constitutional order by the agreed deadline.

2. Implementation of the Agreement on Peace and Reconciliation in Mali emanating from the Algiers process

Like the Secretary-General, the Government of Mali deplors the suspension of the participation of the movements that are signatories to the monitoring mechanisms for the Agreement and, in that regard, has taken decisive steps to advance the implementation of the Agreement. In particular, on 29 March 2023, the Government adopted two draft decrees to improve the operation of entities essential to the monitoring mechanism for the Agreement, namely, the National Disarmament, Demobilization and Reintegration Commission and the National Integration Commission.

The Government also referred the matter to international mediation, including in an official letter dated 24 February 2023 and addressed to Algeria, as leader of the international mediation team, which Mali thanks for its ongoing efforts. In this letter, the Government called on the mediation team to fully assume its responsibilities, particularly by denouncing the violations.

The Government of Mali reiterates its call for the holding in the country of a ministerial session of the Agreement Monitoring Committee and welcomes the Secretary-General's recognition of the incorporation of provisions of the Agreement into the draft constitution, which embodies the expectations widely expressed by Malians during the national dialogue on the reform process.

The Government's commitment to implementing the Agreement is also reflected in the continuing work between the National Disarmament, Demobilization and Reintegration Commission and MINUSMA, which has, among other things, led to the identification and cantonment of 900 women associated with armed groups in the regions of Gao, Kidal, Ménaka and Timbuktu.

Despite the delay in the disarmament, demobilization and reintegration process and in the implementation of the 2022–2024 action plan, 2,750 former combatants have been reintegrated into the national defence and security forces.

At the same time, the operationalization of the sustainable development fund has continued through a number of initiatives aimed at funding projects and programmes selected for that purpose. The strategy established in relation to the Northern Development Zone serves as a point of reference for addressing issues concerning the development of the relevant regions.

In addition, laws on the establishment and organization of the entity for the management of reparations for victims were just adopted by the Council of Ministers on Wednesday, 1 March 2023, following the submission of the final report of the Truth, Justice and Reconciliation Commission at the end of 2022. Those relating to the Centre for the Promotion of Peace and Unity are pending adoption.

3. Security situation

The Secretary-General remains concerned about the “volatile security situation” in the country, particularly in the regions of Ménaka and Gao, which are affected by the criminal activities of the terrorist groups Jama’at Nusrat ul-Islam wa al-Muslimin and Islamic State in the Greater Sahara against civilians and the Malian defence and security forces.

Although it states that “the Malian Armed Forces maintained their operational tempo” despite attacks on them by terrorist groups, this report, like previous reports, gives no indication of the encouraging results and progress achieved in securing the country and protecting civilians through the Maliko plan and the Keletigui operation.

These offensives, which were carried out during the period under consideration, helped to improve the security situation through escorts for public transport and through patrols of the Malian defence and security forces in theatres of operations, as well as the securing of crop- and livestock-related activities in the localities of the central regions (Ségou and Mopti). Major development projects, such as the Gomacoura-Léré and Nara-Mourdiah-Kwala roads, are more secure. The reduction in intercommunal conflicts fuelled by armed terrorist groups and the return of thousands of livestock to administrative and local authorities for the benefit of their owners also represent progress in the securing of the country, as does the increased support for humanitarian activities, such as the air transport of people, food, pharmaceutical products and medical assistance.

With regard to combating terrorism, during the period under consideration hundreds of terrorists were neutralized; some 60 terrorists were arrested and handed over to the justice system; terrorist sanctuaries, particularly in the Ouagadougou forest, the Liptako-Gourma area and the Central Delta, were destroyed; the terrorist blockade on certain localities, including Songo, Marébougou and Farabougou, was lifted; localities including Ségindara, Tessit, Lelehoye, Tin Hama and Mondoro were liberated from terrorist control; and many terrorists in the regions of Douentza and Mopti voluntarily surrendered.

With regard to the situation in the centre of the country, Prime Minister Choguel Kokalla Maïga officially launched, on 17 March 2023 in Mopti, the strategy for the stabilization of the central regions, which is aimed at making those regions a stable and prosperous area in which communities are reconciled and live in harmony.

The Government’s commitment has resulted in the mobilization, at the domestic level, of 205.5 billion CFAF, representing 25 per cent of the total amount for the implementation of the 2022–2024 action plan for the strategy. Mali is thus demonstrating its leadership once again by fully participating in national, regional

and international security efforts within its means. The funding deficit calls for international support.

As indicated by the Secretary General, the implementation of the strategy has already had encouraging results, particularly in the regions of Mopti, San and Bandiagara.

With regard to the restoration of State authority, the Government welcomes the Secretary-General's acknowledgement of an increase in the presence of the State during the period under consideration.

4. Human rights situation

In the report, it is alleged that MINUSMA documented and verified 224 cases of human rights violations, including deaths (82 men, 5 women and 8 children), injuries (38 men, 19 women and 30 children), and abductions or disappearances (42 men).

It is also stated that violent extremist and terrorist groups are the main perpetrators of violence against civilians.

With regard to the cases attributed to the Malian defence and security forces in the report, the Government once again deplores the fact that the Secretary-General provides no details concerning the places, dates and alleged victims of these incidents in order to make it possible, at the very least, to corroborate these serious accusations or to impartially offer the accused Malian forces the possibility of conducting the necessary investigations.

The Government notes with deep regret this approach, as it does not take the formal or substantial precautions essential to the credibility of serious allegations which, because of their repetitive nature and the consistent failure to provide the evidence necessary for an objective examination of the alleged incidents, raise questions as to the true motivation of the accusations, which are currently completely unfounded.

The Malian forces are well trained in the areas of human rights and international humanitarian law. These concepts are initially taught to recruits during common basic training and are further developed during all training sessions and exercises conducted prior to deployment to theatres of operations. In order to ensure that these principles are observed in theatres of operations, a military police detachment, under the authority of a specially appointed military judge (or legal adviser) is systematically assigned to each tactical group.

In paragraph 50 of his report, the Secretary-General indicates that human rights violations were documented during military operations conducted by the Malian Armed Forces, including with the support of foreign security personnel and dozoz (traditional hunters).

This unfounded allegation is completely contrary to the views of the Secretary-General as expressed during his discussions with the Minister for Foreign Affairs and International Cooperation of Mali in January 2023 in New York and reiterated during his meeting with the Prime Minister of Mali in March 2023 in Doha. During these meetings, the Secretary-General clearly emphasized that the relations between Mali and its partners did not concern the United Nations, as they pertain to each Member State's sovereign right to choose its partnerships. The Republic of Mali has long-standing relations of friendship and State-to-State cooperation with the Russian Federation. Moreover, the Malian defence and security forces operate independently and do not conduct joint operations with private security companies or non-State

forces. The inconsistency of this allegation with the Secretary General's views raises questions about whether the report really comes from him.

With respect to combating impunity, correctional and criminal hearings were held regularly in the military courts during the period under consideration. The conviction on 24 January 2023 by the Bamako Assize Court of an individual found guilty of the attack carried out against MINUSMA forces on 22 February 2019 illustrates the commitment of the Malian authorities to bring to justice the perpetrators of crimes against the United Nations force in Mali. In this case as in others, the pace of the justice system differs from that of the media, and the professional treatment of cases requires appropriate impartiality and time.

Mali remains committed to fully assume its responsibility to protect human rights, particularly those of its own people. To that end, the institutional framework was expanded through the establishment of the National Human Rights Directorate on 1 February 2023. The responsibilities of the Directorate include coordinating public policies on human rights and implementing measures to prevent human rights violations and abuses. It forms part of the national human rights system alongside the National Human Rights Commission, whose recent achievement of "A" status should be recognized as a guarantee of its professionalism and independence.

With regard to humanitarian action, the Government is pursuing measures and programmes to improve the living environment of the affected populations, particularly through the provision of basic social services, in accordance with the national policy on humanitarian action.

The Government also remains convinced that the improvement in the humanitarian situation is related to the stabilization of the country through the operations carried out by the Malian defence and security forces, which have also led to the reopening of hundreds of schools that had been closed as a result of insecurity in the northern and central regions.

From January to March 2023, thousands of internally displaced persons and Malian refugees voluntarily returned to their localities of origin and agricultural activities resumed.

With regard to the operational challenges faced by MINUSMA, the Secretary-General continues to deplore the "restrictions" imposed by the Malian authorities on the Mission's movements.

The Government notes that, during the period under consideration, more than 75 per cent of the movement requests of MINUSMA were met. Contrary to what is portrayed and described as "restrictions on the movement of MINUSMA", the Mission's unauthorized movement requests are not obstacles to its freedom of movement, as they did not respect the procedure agreed upon by both parties. The Government therefore once again calls on MINUSMA to comply with the conclusions of the meetings of 15 November 2022 and 18 January 2023.

Conclusion

The Government of Mali remains committed and available to expeditiously implement the Peace Agreement, which continues to be the sustainable framework for restoring peace and stability in the country and for increasingly facilitating the return of the Administration, the provision of basic social services, and the safe and dignified return of internally displaced persons and refugees to their localities of origin.

In that regard, the Government once again calls on the parties that are signatories to the Agreement to collaborate with the Agreement Monitoring Committee in order

to facilitate further dialogue between the Malian parties and consensually resolve the difficulties affecting the peace process.

Lastly, in view of the renewal of the mandate of MINUSMA next June, although the report on the internal review of MINUSMA does not take into account the expectations that have been expressed several times, the Government remains open to dialogue on this specific issue.

Koulouba, 11 April 2023
