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## **Final report of the Panel of Experts established pursuant to Security Council resolution 2374 (2017) on Mali and renewed pursuant to resolution 2484 (2019)**

### *Summary*

Following the cancellation by the Government of Mali of the meeting of the Agreement Monitoring Committee (Comité de suivi de l'accord) in Kidal in September 2019, the holding of legislative elections in March and April 2020 offered the prospect of giving new impetus to the institutional reform agenda of the Agreement. However, the inability of the Government to turn the newly created regions of Taoudenni and Ménaka, as well as the *cercles* of Almoustrat and Achibogho in the north, into electoral constituencies casts doubts about its commitment to improve representation of the populations of the north within national institutions.

Despite pending institutional reforms, some progress was achieved on accelerated disarmament, demobilization and reintegration and subsequent integration into national security and defence forces, including through reconstituted army units meant to deploy in the north. However, the process has been fraught with difficulties owing to questionable decision-making, particularly by the former Chief of Staff of the Malian army, Brigadier General Keba Sangaré, which generated four months of delays and eroded confidence between parties. Newly integrated soldiers were first left unassigned, some were then wrongly assigned to southern regions, and without being given means of transport and sustenance held responsible for not joining their units when finally called to duty. The army's repeated attempts to not respect the agreed quota of one third of each signatory party in both the composition and command of reconstituted units further delayed deployments thereafter.

Discord between signatory parties aside, the national and regional security situation has not been conducive to the implementation of the Agreement on Peace and Reconciliation in Mali, which has passed its fifth year of implementation. The Panel of Experts on Mali noted a growing trend of violence against civilians committed by government forces during counter-insurgency operations not only in Mali, but also in Burkina Faso and the Niger, impacting particularly on northern Malian refugee communities. Atrocities committed by ethnic-based militias in central Mali continue unabated, notably the Malian Dogon militia, Dan Nan Ambassagou, which links up with similar groups in Burkina Faso to commit atrocities against civilians on both sides of the border. A second massacre of 35 civilians of the Fulani community in Ogossogou by Dogon militia on 14 February 2020 took place because of army negligence and failure to act.

The ever-deteriorating situation in central Mali diverts attention and resources away from the implementation of the Agreement in the north. Moreover, the negligence and misconduct of Malian armed and security forces and their failure to protect civilians reduces the attraction for northern movements' combatants to integrate into the reconstituted army and may lead populations to reject deployments of reconstituted units in the north, particularly if the "one third" principle is not respected.

Much of the discord between parties is rooted the strategy of the Government of Mali to co-opt and manipulate armed groups and militia active in northern Mali. This strategy started long before and did not change following the signing of the Agreement by the Government, in Algiers in 2015, which has undermined its implementation ever since. The establishment of the Government-requested

sanctions regime by the Security Council in September 2017, aimed at targeting spoilers of the implementation of the peace process, did not change the strategy either.

The discrepancy between the Government's official statements and commitments to fully implement the Agreement, and the continued provision of support by Malian State actors to individuals designated by the Security Council Committee established pursuant to resolution [2374 \(2017\)](#) concerning Mali as spoiling the peace process, generated mistrust among signatory parties, in particular with the Coordination des mouvements de l'Azawad (CMA). Additional burdens and costs for the disarmament, demobilization and reintegration and subsequent integration processes have created confusion for the international community – the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) in particular – as resources and good offices efforts have been partially diverted from their initial goals and main targets.

The Panel considers that such mistrust, burden and confusion have threatened and delayed the implementation of the Agreement on Peace and Reconciliation in Mali, and that key government officials responsible for implementing those actions and policies should be held accountable in accordance with Security Council resolution [2374 \(2017\)](#).

One aspect of the Government's co-opting of armed groups is when State agents condone and actively protect their criminal enterprises in return for money. For example, payments by Mohamed Ould Mataly (MLi.008) to the Malian State security service made the latter appeal to authorities in the Niger to release drug traffickers arrested in April 2018. The notorious human trafficker, Baye Coulibaly, enjoys protection from State security forces that he pays when taking charge of arrested migrants to further exploit them and even use them for recruitment to armed groups.

Armed group involvement in organized crime continues to evolve mainly around the conveying of hashish, leading to deadly clashes potentially constituting ceasefire violations and threatening the implementation of the Agreement, under which parties commit to jointly fight organized crime. To help to stem the destabilizing drug flows, sanctions listing must also target suppliers. Morocco is very responsive to the Panel overall but did not provide either the Panel or the Niger authorities with available identifying information on individuals and entities supplying hashish to the criminal network of Mohamed Ben Ahmed Mahri (MLi.007), also known as Rouggy.

Besides drugs, the illicit trade of cigarette brands introduced in the Sahel from the United Arab Emirates mainly risks financing armed groups in Mali that undermine the implementation of the Agreement, as the Greece-produced brand American Legend did in the past. It also represents millions of dollars in lost revenue to regional States. Finally, a recent artisanal gold boom in northern Mali at the same time threatens and helps the implementation of the Agreement, as it drives the expansion strategy of CMA but also absorbs ex-combatants and draws youth away from joining armed groups.

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\* Circulated in the languages of submission only and without formal editing.

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## I. Background

### Mandate, travel and cooperation

1. By its resolution [2484 \(2019\)](#), the Security Council decided to renew until 31 August 2020 the measures as set out in paragraphs 1 to 7 of resolution [2374 \(2017\)](#). The sanctions regime established by resolution [2374 \(2017\)](#) consists of a travel ban and an asset freeze applying to individuals and/or entities designated by the Security Council Committee established pursuant to resolution [2374 \(2017\)](#) concerning Mali as being responsible for or complicit in, or having engaged in, directly or indirectly, actions or policies that threaten the peace, security or stability of Mali. In resolution [2484 \(2019\)](#), the Council requested the Secretary-General to re-establish the Panel of Experts on Mali and extended its mandate, as set out in paragraphs 11 to 15 of resolution [2374 \(2017\)](#), until 30 September 2020.
2. Between November 2019 and mid-March 2020, the Panel undertook four missions in Mali, as well as two missions to the Niger and one to Morocco and to Burkina Faso. However, all travel to Mali planned by the Panel for April, May and June 2020 had to be cancelled in the context of the ongoing coronavirus disease (COVID-19) pandemic. Nonetheless, the Panel was able to visit France in June. The Panel would like to express its sincere appreciation to the respective Governments for accommodating its visits. The Panel is also thankful for the support provided by the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), and, more specifically, the Joint Mission Analysis Cell, the Panel's focal point within the Mission, and for the security arrangements made by the Department of Safety and Security of the Secretariat.
3. During its mandate, the Panel addressed a further 36 official communications to Member States, international organizations and private entities, receiving various levels of response to its requests (see annex I).

### Methodology

4. The Panel endeavours to ensure compliance with the standards recommended by the Informal Working Group of the Security Council on General Issues of Sanctions in its December 2006 report (see [S/2006/997](#), annex). While it intends to be as transparent as possible, in situations where identifying sources would expose them or others to unacceptable safety risks, the Panel withholds identifying information.
5. The Panel is equally committed to the highest degree of fairness and will endeavour to make available to parties, where appropriate and possible, any information in the report for which those parties may be cited, for their review, comment and response within a specified deadline.
6. The Panel safeguards the independence of its work against any effort to undermine its impartiality or create a perception of bias. The Panel approved the text, conclusions and recommendations in the present report based on consensus prior to its transmission to the President of the Security Council.

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## II. Agreement on Peace and Reconciliation in Mali: threats, obstructions and progress

### A. Regional political and security context of the implementation of the Agreement

#### State-based and militia violence in Mali, Burkina Faso and the Niger impacting on Malian refugees and forcing returns

7. The regional environment has not been conducive to the implementation of the Agreement. The Panel notes a trend of increasing violence against civilians committed by States' armed and security forces during counter-insurgency operations in Mali, Burkina Faso and the Niger, as well as by ethnic-based militia against rival communities. Escalating violence against civilians in the centre of Mali diverts resources and attention from the north of Mali, reduces public support for the Agreement by delaying peace and impacts on the trust of communities and armed groups in the Government and its armed and security forces. Several communities across the Sahel feel either not protected by or even targeted by their respective Governments, contributing to the reinforcement of the legitimacy and role of ethnic-based militias.

8. Malian refugee communities in neighbouring countries are particularly affected by acts of violence. On 2 May 2020, Burkina Faso defence forces entered the Mentao refugee camp in the north of the country, which hosts 6,500 Malians, and reportedly beat and injured 32 Malian refugees on suspicion of complicity in a terrorist attack on a territorial gendarmerie unit of Djibo the same day. Reportedly, the Burkinabé self-defence militia, known as the Koglweogo, participated in the violence against Malian refugees.<sup>1</sup>

9. CMA issued a communiqué in which it condemned the attack and called upon the Government of Burkina Faso to ensure the protection of refugees in accordance with international standards.<sup>2</sup> The Office of the United Nations High Commissioner for Refugees (UNHCR) also condemned the incident,<sup>3</sup> prompting the Government of Burkina Faso to issue a communiqué on 5 May 2020 in which it justified the use of violence committed in pursuit of militants using the refugee camp as a hideout, but also promised an investigation into the matter.<sup>4</sup>

10. Sustained violence against Malian refugees in Burkina Faso has forced thousands of them to return home to Mali, while the environment conducive to their return, which under article 47 of the Agreement parties thereto engaged to create, is not there.<sup>5</sup> Burkina Faso co-presides the Agreement Monitoring Committee.

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<sup>1</sup> Office of the United Nations High Commissioner for Refugees (UNHCR), "UNHCR Sahel crisis response", 1–15 May 2020. This militia has also been accused of numerous other attacks on civilians, including the killing of over 40 civilians in the villages of Dinguila, Barga and Ramdolla in Yatenga Province in northern Burkina Faso on 8 March 2020. Amnesty International, "Burkina Faso: witness testimony confirms armed group perpetrated mass killings", 20 March 2020.

<sup>2</sup> CMA communiqué No. 08/CD/CMA/2020, Kidal, 2 May 2020.

<sup>3</sup> UNHCR, "Burkina Faso: le HCR condamne les violences à l'encontre des réfugiés maliens", 4 May 2020.

<sup>4</sup> Burkina Faso, Ministry of Communications and Relations, communiqué signed by the Minister of Communication, René Fulgance Dandjinou, 5 May 2020.

<sup>5</sup> By March 2020, over 2,000 Malian refugees in Burkina Faso had already returned home owing to insecurity in Burkina Faso. UNHCR, "Violence in Burkina Faso forces Malian refugees to return home", 13 March 2020.

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## Ethnic-based militias and their regional implications

11. Ethnic militias, which pretend to fill local security vacuums and some of which are officially associated with the operations of government forces, – i.e. the Koglweogo and Dan Nan Ambassagou –, have grown in political influence and local popularity to the extent that they have become uncontrollable and a major threat to security in the region.<sup>6</sup> The creation of Dan Nan Ambassagou, and its exponential development since 2018 despite its formal dismantlement as decided by the Government of Mali, provides another illustration of the problematic relationship between the Malian State and ethnic-based militias.

12. Dan Nan Ambassagou has been identified by the Human Rights Division of MINUSMA as a perpetrator of violence, committing atrocities against other communities in central Mali,<sup>7</sup> sometimes with the approval and support of local officials.<sup>8</sup> Accused of killing over 150 civilians in Ogossogou village on 23 March 2019, Dan Nan Ambassagou was officially disbanded the next day by the Council of Ministers of the Government of Mali. The militia refused to abide by the Government's decision<sup>9</sup> and continued to enjoy approval from a number of officials.<sup>10</sup> On 24 February 2020, the Prime Minister, Boubou Cissé, issued a communiqué in which he called Dan Nan Ambassagou checkpoints illegal and ordered their immediate removal.<sup>11</sup> Nevertheless, the militia continues to control dozens of checkpoints on the main road between Sévaré, Bandiagara, Bankass and Koro, where Malian armed and security forces pass on a daily basis, including the high-level delegation led by the Governor of Mopti, General Abdoulaye Cissé, and the Chief of Staff of the Malian armed forces, General Abdoulaye Coulibaly, which visited Ogossogou on 14 February 2020 following a second large-scale massacre (see box).

### Preventable Ogossogou attack on 14 February 2020

Malian armed and security forces could have prevented some of the attacks committed by ethnic militia in Mali, as for the second Ogossogou attack, described below. At a time when the first reconstituted units of the Malian armed forces are being deployed, such incidents erode the trust of local populations in the national

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<sup>6</sup> Reportedly, ethnic militias committed almost 40 per cent of all atrocities against civilians in Mali between January and March 2020, second to terrorist armed groups. See United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), “Note sur les tendances des violations et abus de droits de l’homme: 1er janvier–31 mars 2020”, April 2020. See also Insecurity Insight, “Burkina Faso: threats and violence against civilians and vital civilian facilities”, Bulletin 1: January–March 2020, April 2020.

<sup>7</sup> MINUSMA, “Note sur les tendances des violations et abus de droits de l’homme”.

<sup>8</sup> For example, on 12 April 2018, the Mayor of the commune of Koprona in Koro *cercle*, Etienne Poudiougou, signed a public announcement ordering all Fulani to leave his constituency, following clashes between Dogon and Fulani communities over resources (see annex II). On 14 April 2018, the Office of the Prime Minister of Mali publicly denounced the Mayor's decision and called upon the judiciary to investigate the matter. See aBamako, “Réaction énergique du gouvernement face aux dérives ethniques du maire de la commune de Koprona”, 15 April 2018.

<sup>9</sup> Aaron Ross, “Mali struggles to disarm ethnic militia suspected of massacre”, Reuters, 19 April 2019.

<sup>10</sup> For instance, during a video-recorded speech in September 2019, months after the Government had disbanded the militia, the Prefect of Bandiagara, Siriman Kanouté, standing next to a Dan Nan Ambassagou leader, stated that Dan Nan Ambassagou was not the enemy of the Malian army (see annex III).

<sup>11</sup> Mali, “Communiqué du gouvernement suite à la visite du Premier Ministre Dr. Boubou Cissé dans la région de Mopti du 22 au 23 février 2020”, available at <http://primature.ml/communiqué-du-gouvernement-suite-a-la-visite-du-premier-ministre-dr-boubou-cisse-dans-la-region-de-mopti-les-22-et-22-fevrier-2020/>.

army as an impartial security provider and reduce the appeal for members of armed groups to integrate, who may instead continue to protect their own communities, thereby threatening the implementation of the Agreement on Peace and Reconciliation in Mali.

On 14 February 2020, Dogon militia attacked Ogossogou village, killing 35 civilians of the Fulani community, including women and children as young as 4 years of age. Victims were chased into bushes, and some were mutilated and others decapitated. Over 19 other civilians, including five children, remain unaccounted for.<sup>a</sup>

The killings were perpetrated after a Malian army unit that, at the request of the President of Mali, had specifically been tasked with protecting Ogossogou Peul residents, following a first massacre of 160 civilians on 23 March 2019 at the same location, had vacated its position before its replacement unit had arrived.

More than 10 hours before the killing on 14 February 2020, General Keba Sangaré was called numerous times and received messages informing him of the threat, preparation and beginning of the killing at Ogossogou village.<sup>b</sup> General Keba Sangaré, in his capacity as Chief of Staff of the Malian army and Commander of the joint forces headquarters for operations in the central region, had the ultimate decision-making power and authority to instruct the army unit posted at Ogossogou village not to leave on 13 February 2020 before the replacement unit had arrived. The General also had the power and authority to order an immediate replacement of the army unit at Ogossogou village, as he had been informed of the departure of the army unit at around 1700 hours on 13 February 2020, more than 10 hours before the attack.

In addition, General Keba Sangaré gave a false assurance to his hierarchy, including the Minister of Defence, that the unit would not leave before the arrival of the replacement unit, preventing potential mitigating measures from others.<sup>c</sup>

The attackers had enough time to kill civilians and destroy properties before the army arrived at around 0800 hours on 14 February 2020. However, there were troops in Koro, located 54 kilometres away on a mostly tarmacked road, that could have intervened within hours, if instructed to do so.

Following the attack, the President of Mali suspended General Keba Sangaré as Commander of the joint forces headquarters for operations in the central region. In May 2020, he was also replaced as Chief of Staff of the Malian army.

<sup>a</sup> Confidential report, March 2020. See also Human Rights Watch, “Mali: army, United Nations fail to stop massacre”, 18 March 2020.

<sup>b</sup> Interview with confidential source, Bamako, March 2020.

<sup>c</sup> Ibid.

13. Dogon militia are expanding into Burkina Faso, involving coordinated operations between Mali-based groups with their Burkinabé counterparts, mostly in the *cercles* of Bankass and Koro in Mali and the commune of Kombori in Burkina Faso.<sup>12</sup> Joint militia operations involving abuses against civilians strain cooperation between Mali and Burkina Faso, as accusations and contradictory accounts of events that followed the Abaye village incident, described below, illustrate.

<sup>12</sup> Confidential source, 12 February 2020. There are also numerous other accounts of attacks on civilians in Mali, including by Dogon or dozo fighters from Mali and Burkina Faso.

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14. On 16 November 2019, the Malian army unit based in Ouankoro commune in the *cercle* of Bankass intervened to stop an attack on Fulani civilians in the villages of Bidi and Sankoro by Dogon militia members from Burkina Faso and Mali. In pursuit of militia fighters, the Malian army unit entered the Burkinabé village of Abaye. Predominantly inhabited by Dogon, the army faced strong armed opposition from the militia. Subsequently, the Malian army unit requested aerial support, which intervened promptly and enabled the arrest of over 20 militia members,<sup>13</sup> more than half of them with Burkinabé identity papers. These presumed Burkinabé Dogon militia fighters were later handed over to the Government of Burkina Faso, which contested the account of events of the Government of Mali, accused Mali of atrocities on its soil and reacted strongly against the intervention by the Malian army on its territory, which it claimed to have happened without it being informed in accordance with regional protocols of the Group of Five for the Sahel.<sup>14</sup>

15. In their regional expansion strategy, Dogon militias use Burkinabé villages, such as Abaye and others in the commune of Kombori, as rear bases for operations in Malian villages bordering Burkina Faso. This is mostly because armed Fulani groups also operating in areas around the Malian commune of Ouankoro prevent Dogon militias from moving directly from Bandiagara, their stronghold in Mali, to Burkina Faso. Several leaders of Burkinabé Dogon militia served previously in Mali with Dan Nan Ambassagou before travelling back home to run their own local franchises in Burkina Faso, where they support the Government's security operations, as confirmed by one Burkinabé Dogon leader, Drabo Yacouba.<sup>15</sup>

16. Fulani militias also continue violence unabated against Dogon and other communities in Burkina Faso, Mali and the Niger, which is equally straining cooperation between the countries. Among the latest cases is the reported killing of over 30 ethnic Dogon civilians, including 24 children, in the village of Sobane Da on 8 June 2020.<sup>16</sup> Fulani militias also portray themselves as “self-defence” groups and operate in a much wider area stretching into Mali, Burkina Faso and the Niger. There is no unified Fulani community-based militia in the region.<sup>17</sup>

### **Further regional observations**

17. Algeria continued to hold meetings with Malian signatory and compliant armed groups to facilitate their dialogue with the Government of Mali on numerous contentious issues. This helped in the preparation of the visit of the Prime Minister of Mali to Kidal in March 2020, the first of its kind since 2014. Ahead of the arrival of the first battalion of the reconstituted army in Kidal, the Minister for Foreign Affairs of Mali, Tiébilé Drame, visited Algiers on 3 February 2020 to pass a message from the President of Mali, Ibrahim Boubacar Keita, to the President of Algeria, Abdelmadjid Tebboune, to garner regional support for implementation of the Agreement. Algeria then pledged 5 million euros for equipment for the first battalions of the reconstituted Malian army.

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<sup>13</sup> Malian armed forces, communiqué, 16 November 2019, available at [www.facebook.com/ForcesArmeesMaliennes/posts/1485461781603402](https://www.facebook.com/ForcesArmeesMaliennes/posts/1485461781603402).

<sup>14</sup> Aaron Ross, “Burkina Faso accuses Mali of unauthorized military operation on its soil”, Reuters, 19 November 2019.

<sup>15</sup> Lefaso.net, “Me Drabo Yacouba, chef dozo: ‘si vous refusez de collaborer avec les FDS parce que vous avez peur, sachez que même si vous ne dénoncez pas les bandits, vous ne serez pas épargnés’”, 11 September 2019.

<sup>16</sup> Agence France-Presse, “Le bilan de la tuerie du village Dogon de Sobqne nettement revue à la baisse”, France 24, 13 June 2020.

<sup>17</sup> The “Alliance pour le Salut du Sahel”, led by the nicknamed Bacar Saw, emerged in early 2018 with the ambition of unifying Fulani community-based armed groups, but appears to have been created by diaspora communities rather than a reality on the ground.



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## B. Political and institutional component

### Pending institutional reforms and legislative elections in Taoudenni and Ménaka regions

18. Major political and institutional reforms provided for by the Agreement are still pending and dependent on a fragile consensus amid a turbulent political environment in Mali. The inclusive political dialogue held in December 2019 led to a large political consensus brokered among Malian social and political actors, which enabled legislative elections to be held in March and April 2020. There was an understanding between signatory armed groups and the Government that institutional and political reforms would be initiated either in parallel or immediately after the legislative elections. Trust between parties remained low, however, prompting signatory armed groups to try to leverage their participation in the legislative elections to secure guarantees on institutional reforms that were outstanding.

19. On 25 January 2020, CMA issued a communiqué posing three conditions for its participation in the legislative elections in March 2020, namely: (a) the start of administrative and territorial restructuring; (b) the holding of elections in 12 new *cercles* (six in Taoudenni, four in Ménaka and two in Gao (Achibogho and Almoustrat)); and (c) ensuring the participation of refugees and internally displaced persons in the coming elections. That CMA position triggered another round of dialogue, which led to a proposal by the Government to appoint by decree, for the new legislature, four members of parliament for Ménaka and six for Taoudenni. Most armed groups objected to the proposal, as those members of parliament would not be seen as legitimate.

20. Pushed to formalize its commitments, on 26 February 2020, the Government, through the Ministry of Territorial Administration and Decentralization, issued a road map presenting a detailed, time-bound and budgeted plan for starting administrative and territorial restructuring, including by holding two rounds of legislative by-elections in Taoudenni and Ménaka in November and December 2020 and a constitutional referendum between August and December 2020.<sup>18</sup> Nevertheless, CMA continued to press for stronger political commitment. To reassure CMA, on 21 March 2020 the Prime Minister transmitted a letter presenting the Government's plan for by-elections. CMA then welcomed the plan and accepted to unconditionally participate in the legislative elections, while reminding the Government about the participation of refugees and internally displaced persons.<sup>19</sup>

21. In addition, on 15 April 2020, the Minister for Territorial Administration and Decentralization, Alpha Ba, established a national commission for the preparation of legislative by-elections in the regions of Taoudenni and Ménaka as well as the *cercles* of Almoustrat et Achibogho. The commission is composed of government representatives, four representatives for each signatory armed group and three for the “inclusivité” movement.<sup>20</sup>

### Government coordination of the implementation of the Agreement

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<sup>18</sup> Mali, Ministry of Territorial Administration and Decentralization, “Modalités de prise en charge de nouvelles régions dans la mise en œuvre de la Résolution No.1 du Dialogue National Inclusif”, 26 February 2020.

<sup>19</sup> CMA, lettre No. 002/2020/Pdt-CD, 26 March 2020, signed by the President of CMA, Bilal Ag Acherif.

<sup>20</sup> Mali, Ministry of Territorial Administration and Decentralization, decision No. 000148/Matd-SG, 15 April 2020.

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22. In its midterm report, the Panel had noted a sense of unease from armed movements with two decrees creating new commissions coordinating the Government's actions towards implementation of the Agreement, namely as to whether and how those commissions would replace or overrule the existing inter-Malian consultation framework presided by the Minister for Social Cohesion, Peace and National Reconciliation, Lassine Bouaré (S/2020/158/Rev.1, paras. 30–34). Ultimately, neither the interministerial commission chaired by the Prime Minister nor the joint commission of Government and development partners became operational. While the January 2020 session of the Agreement Monitoring Committee – the first session to be held after the cancelled session in Kidal in September 2019 – had called for the reinvigoration of the inter-Malian consultation framework, its weekly meetings did not resume. In June 2020, the Committee noted the Government's intention to articulate a new methodology for the framework at a higher level,<sup>21</sup> again indicating the intention to change and replace a workable framework.

### **Participation of women in the implementation of the Agreement**

23. Women have a very limited presence in the peace process. Five out of 25 commissioners of the Truth, Justice and Reconciliation Commission are women. Four out of 70 commissioners of the national security sector reform council are women. There are no women among the 14 members of the Agreement Monitoring Committee, and there is only one woman in its justice and reconciliation subcommittee, out of a total of 24 members across the four subcommittees.

24. In its resolution 2531 (2020), the Security Council urged the Malian parties to implement the recommendations of the high-level workshop on the participation of women in the mechanisms established by the Agreement, including by increasing the number of women in the follow-up mechanisms of the Agreement from 3 to 30 per cent; creating an independent women's observatory to monitor the peace process; and establishing a monitoring framework to follow up on the adopted measures (S/2020/476, para. 51).

## **C. Security and defence component**

### **Incomplete redeployment of reconstituted army units**

25. By 7 May 2020, 1,330 former combatants had integrated into the armed forces, to be deployed either in the north as part of reconstituted national army units (792), or within national guard or counter-terrorism units (538) (*ibid.*, para. 39). The accelerated disarmament, demobilization and reintegration and subsequent integration process that had started on 6 November 2018 had targeted 1,840 Operational Coordination Mechanism<sup>22</sup> personnel from the different compliant armed groups. A catch-up phase, meant to replace medically unfit and absent Operational Coordination Mechanism personnel, should make up the difference, but had yet to start at the time of writing the present report, as was the case for a new wave of 1,160 combatants needed to reach the objective of integrating 3,000 elements from compliant armed groups by 30 June 2020, as recommended in

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<sup>21</sup> See Mali, final communiqué of the 40th session of the Agreement Monitoring Committee, 11 June 2020. Available at <http://primature.ml/comite-de-suivi-de-laccord-csa-11-juin-2020/>.

<sup>22</sup> The Operational Coordination Mechanism, referenced in annex 2 to the Agreement, is a unified command and control structure combining the signatory armed groups and government military forces aimed at securing the regions of Gao, Timbuktu, Kidal and Ménaka, notably by planning and conducting mixed patrols, with assistance from MINUSMA and international forces, if possible and necessary.

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Security Council resolution [2480 \(2019\)](#). In addition, by the end of April 2020, 225 soldiers assigned to reconstituted units in the north had yet to physically join their units.<sup>23</sup>

26. The absence of the above-mentioned 225 soldiers is due largely to a leave period decided by the Chief of Staff of the Malian army, General Keba Sangaré, following the official end of their training on 2 September 2019, as highlighted in the Panel's 2020 midterm report ([S/2020/158/Rev.1](#)). Although the majority of the soldiers concerned were from the north of the country and had no family members with whom to stay in Bamako, they were not given means of transport to go back to their home areas and were exposed to major security risks as a result. Among the absentees were the 20 soldiers abducted from a public bus and the four detained by Burkinabé armed forces while trying to reach their home areas in the north of Mali in early September 2019 (*ibid.*, para. 37). While the four detainees were released by 10 March 2020,<sup>24</sup> the abducted soldiers are still unaccounted for.

27. The abductions and detentions in September 2019, which were a consequence of a prolonged leave of the soldiers assigned to reconstituted units, marked the beginning of the Government's planning errors and delaying tactics that provoked protests and negative reactions from the armed movements.

28. When eventually called to duty by the same General at the end of December 2019,<sup>25</sup> newly integrated soldiers from compliant armed groups were deployed in reconstituted units across the country,<sup>26</sup> in breach of article 21 of the Agreement, which stipulates that reconstituted forces shall be redeployed throughout the northern regions. In November 2019, parties had specifically agreed that integrated combatants be deployed in their region of origin and decided that three reconstituted battalions be formed by the end of the year: one in Kidal, one in Timbuktu, one in Gao, and one reconstituted company in Ménaka.<sup>27</sup> The decision to deploy units across the country triggered protests from armed groups<sup>28</sup> and stalled the process for several weeks, to be resolved in mid-January 2020.

29. Besides the geographical orientation of reconstituted units, the Government also trampled on the principle of each reconstituted unit being equally composed of each of the three signatory parties. The one-third principle was part of the redeployment plan adopted during a meeting of the Technical Commission on Security<sup>29</sup> on 28 November 2019,<sup>30</sup> which recommended that redeployed units have the same command structure and composition as the Operational Coordination

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<sup>23</sup> Minutes of an extraordinary session of the Technical Commission on Security, 24 April 2020.

<sup>24</sup> See letter of release in annex IV.

<sup>25</sup> The administrative texts attributing grades to newly integrated personnel were adopted only in December 2019, four months after integration.

<sup>26</sup> See decision of General Keba Sangaré to deploy newly integrated combatants in all military regions, including in the south of Mali, in annex V.

<sup>27</sup> Minutes of the 43rd session of the Technical Commission on Security, 28 November 2019, archived at the United Nations.

<sup>28</sup> See letter of protest by CMA addressed to the President of the Technical Commission on Security in annex VI.

<sup>29</sup> The Technical Commission on Security is a commission created pursuant to the Agreement that answers to the defence and security subcommittee of the Agreement Monitoring Committee and is mandated to address security issues, monitor the ceasefire and implement trust-building measures among signatories.

<sup>30</sup> Minutes of the 43rd session of the Technical Commission on Security, 28 November 2019.

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Mechanism.<sup>31</sup> However, during a high-level extraordinary session of the subcommittee on defence and security of the Agreement Monitoring Committee on 21 January 2020, the Deputy General Chief of Staff of the Malian army stated that the one-third principle would not be applicable to all redeployed units.<sup>32</sup> Three days later, the Government submitted figures for the Kidal battalion, which had 35 elements in excess of its allocated quota.<sup>33</sup> On 31 January, parties finally did agree to the one-third principle in terms of both composition and command,<sup>34</sup> but this did not bring an end to the parties' bickering.

30. In terms of composition, on 8 February 2020 the Operational Coordination Mechanism and the joint observation and verification team in Gao screened the first two companies leaving for Kidal, which were found to respect the one-third principle. However, on 10 March 2020, the departure of the third company from Gao to Kidal was called off at the last minute by the armed movements for not respecting the principle, a move the President of the Technical Commission on Security considered justified.<sup>35</sup> Meanwhile, the company that had left for Ménaka two days before had not been screened because the joint observation and verification team members from armed movements had refused to carry out the task, having not been paid since February 2020.<sup>36</sup>

31. During the session of the Technical Commission on Security held on 11 March 2020, the representative of the Chief of Staff of the armed forces argued that non-respect of the one-third principle by the third company to Kidal was due to absences, but that this was explicitly not the Government's responsibility. In view of the Panel, the situation creating absentees is precisely a consequence of the Government's poor planning, as trained and newly integrated elements from armed movements were not engaged for four months and were not provided with the logistical arrangements necessary to join their units.

32. In terms of command, the Chief of Staff of the armed forces continues to reject the one-third principle,<sup>37</sup> showing much reluctance to appoint former members of armed movements. Notably, for the battalion in Gao, former Plateforme<sup>38</sup> commander Daouda Hama Zouna Maiga was supposed to be in command, according to a designation letter dated 30 January 2020 sent by the Chief of Staff of the national guard to the Chief of Staff of the armed forces.<sup>39</sup> However, he was not appointed, and instead the unit is commanded by Mohamed Lamine Ag Kilita, the former commander of the Malian armed forces base in Intahaka who was deployed

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<sup>31</sup> The plan also recommended the general staff of the Operational Coordination Mechanism to lead the deployment of reconstituted units, in accordance with article 21 of the Agreement, and that the units be integrated into the armed forces. Neither happened. Deployments are led by the Chief of Staff of the armed forces without consultation with Mechanism commanders, who remain in place.

<sup>32</sup> Minutes of the 12th extraordinary session of the Technical Commission on Security, 21 January 2020.

<sup>33</sup> Minutes of the 13th extraordinary session of the Technical Commission on Security, 24 January 2020.

<sup>34</sup> Minutes of the 45th session of the Technical Commission on Security, 29 January 2020.

<sup>35</sup> Minutes of the 49th session of the Technical Commission on Security, 11 March 2020.

<sup>36</sup> Meeting with joint observation and verification team personnel, Gao, 9 March 2020. Armed movements members of the joint observation and verification teams and the Technical Commission on Security are paid by the Ministry of Reconciliation, while the salaries of Operational Coordination Mechanism personnel fall under the Ministry of Defence. The situation was resolved by the end of April 2020.

<sup>37</sup> Minutes of the 49th session of the Technical Commission on Security, 11 March 2020.

<sup>38</sup> The Plateforme des mouvements du 14 juin 2014, one of the three parties to the Agreement, next to CMA and the Government.

<sup>39</sup> See designation letter in annex VII. Abdoulaye Nazim Maiga, who, by the letter, was designated to command the company in Ménaka, was effectively put in command.

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in the Malian armed forces in Kidal in 2013,<sup>40</sup> and was never part of any armed movement. For the battalion to be deployed in Timbuktu, a similar swap was attempted, to replace the intended former CMA commander, Jamal Ben Sidi Mohamed, with a Colonel Alkassim, originally from Kidal but still in the Malian armed forces. Jamal Ben Sidi was eventually confirmed, however, in an attempt by the Government to show some goodwill.<sup>41</sup>

33. While, based on article 22 of the Agreement, the redeployed forces should include a substantial number of persons from the northern regions, including in positions of command, the Government appears to be willing to respect the one-third principle only in terms of composition. In terms of command, the Government tries to work its way around the one-third principle by appointing Malian armed forces hailing from the north (but not from the two armed movements) in command positions so as to still be in line with the Agreement. However, by doing so, the Government backtracks on decisions it earlier agreed upon within the implementing framework of the Technical Commission on Security that command and composition of reconstituted units are shared equally between the three parties.

34. Disagreement over the command of reconstituted units reached a climax when, on 6 May 2020, CMA refused access to Kidal for the third company of 120 men who had come from Gao to complete the battalion. The pretext was to prevent the spread of COVID-19, but the real reason was dissatisfaction resulting from 21 of their officers declared inapt, including a captain who CMA wished had been put in command of the Kidal battalion, without being replaced.<sup>42</sup>

35. At the time of writing the present report, discussions were under way to solve the imbalance of the third company by integrating elements of movements, as part of the catch-up phase, in situ,<sup>43</sup> as proposed by the President of the Technical Commission on Security on 27 May 2020.<sup>44</sup> CMA has set respect for the one-third principle as a condition for completion of the first wave before moving into a second wave of integration,<sup>45</sup> which was initially supposed to take place at the same time as the catch-up phase. Meanwhile, the Government has expressed strong reservations about a proposal for decentralized integration and insists on its exclusive competence to manage reconstituted units.<sup>46</sup>

36. The catch-up phase was set to start on 24 June 2020, and is to be followed by the second wave of integration. As a result, the target of integrating 3,000 elements by 30 June 2020 was not met.<sup>47</sup>

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<sup>40</sup> Posted in Kidal, Ag Kilita is quoted in an article from 2013 as saying, “I voted for IBK and so did all the soldiers that are under me because we know that we need a strong leader to deal with the problems in the north ... Mali needs a dictator”. See Rukmini Callimac (Associated Press), “Mali presidential race goes to runoff; politician known for firmness takes initial lead”, 680 News, 2 August 2013.

<sup>41</sup> His confirmation was communicated during a session of the Technical Commission on Security held on 24 April 2020 and was presented as a demonstration of goodwill by the Government, after having rejected the one-third principle during the session held on 11 March 2020.

<sup>42</sup> See Studio Tamani, “Kidal: l'accès à la ville refusé au troisième bataillon de l'armée reconstituée par la CMA”, 12 May 2020; and confidential report, 8 May 2020.

<sup>43</sup> In Kidal as well as in Gao and Timbuktu.

<sup>44</sup> Minutes of the 17th extraordinary session of the Technical Commission on Security, 27 May 2020.

<sup>45</sup> Ibid.

<sup>46</sup> Minutes of the 18th extraordinary session of the Technical Commission on Security, 2 June 2020.

<sup>47</sup> Differences of opinion over the command structure also hindered the operationalization of the established units. See Carter Center, “Report of the Independent Observer: observations on the implementation of the Agreement on Peace and Reconciliation in Mali, emanating from the Algiers process”, April 2020.

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## **D. Economic, social and cultural development component**

### **Northern Development Zone and the sustainable development fund**

37. An update regarding the Northern Development Zone and the sustainable development fund was contained in annex I to the Panel's midterm report ([S/2020/158/Rev.1](#)).

38. While the steering committee of the sustainable development fund has started to examine projects and approved a procedures manual on 21 March 2020, CMA continues to demand the inclusion of armed movements in both the steering and management committees. In June 2019, the Government had already committed to revising the relevant decree (*ibid.*, annex VIII). Pending such revision, during June the the Agreement Monitoring Committee meeting in 2020, parties committed to more inclusive management of the fund.

39. The suggestion by CMA in November 2018 to conduct an audit on expenses engaged under the fund prior to its creation – after the Panel had demonstrated these expense to be overrepresented and wrongly represented ([S/2019/636](#), paras. 56–60) – is no longer on the table of discussions in the relevant subcommittees of the Agreement Monitoring Committee.

## **E. Reconciliation, justice and humanitarian component**

40. In accordance with the Agreement, the Truth, Justice and Reconciliation Commission covers human rights violations during coups, political crises and rebellions since 1960. As at 23 May 2020, 16,478 victims and witnesses have come forward with allegations of human rights violations. Registration is still ongoing and testimonies are confidential. Among the testimonies are 10,000 from women and 600 from children. On 8 December 2019, the Commission held its first public hearings in Bamako. A total of 13 victims were heard. The Commission plans to hold five more public hearings in 2020 and 2021. Malian refugees abroad will be given the opportunity to participate in the public hearings by registering with a team dispatched to record the testimonies.

41. To provide for reparations, a bill on reparations and a set of measures to support its implementation were submitted to the Ministry of Social Cohesion, Peace and National Reconciliation for approval.<sup>48</sup> The mandate of the Truth, Justice and Reconciliation Commission will end in 2021, at which time a final report will be issued.

## **III. Armed groups**

42. The balance of power between armed groups in northern Mali has not changed since the Panel's previous report, despite tense confrontations that took place during the legislative elections in April 2020 in *cercles* where armed groups were involved in incidents in relation to potential electoral fraud. The stand-offs between CMA and Malian armed forces protecting official buildings in Goundam,<sup>49</sup> and between CMA

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<sup>48</sup> Correspondence with a representative of the Truth, Justice and Reconciliation Commission, 29 May 2020.

<sup>49</sup> On 20 April 2020, CMA deployed dozens of pick-up truck vehicles under the command of Kabo Ag Abdoullahi (Mouvement national de libération de l'Azawad – MNLA) and Abdallah Ag Ahmedou (Haut conseil pour l'unité de l'Azawad – HCUA) in front of official buildings in Goundam while officials were counting ballots. Malian armed forces units protected the government buildings and officials in charge of counting votes.

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and the Groupe d'autodéfense des Touaregs Imghad et leurs alliés (GATIA)<sup>50</sup> in Aguelhok, show again the limits of outsourcing the security provision around elections to armed groups that support competing candidates.

43. In parallel, the past few months have seen significant developments in the regional context, with an open conflict between terrorist armed groups (see below) and the increasing involvement of youth from northern Mali and abroad in the gold rush, including members of signatory, compliant and terrorist armed groups, draining essential human resources, vehicles and potential recruits from those entities (see paras. 120–124 below).

*Jama'a Nusrat ul-Islam wa al-Muslimin offensive on Islamic State West African Province*

44. In March and April 2020, Jama'a Nusrat ul-Islam wa al-Muslimin (JNIM – QDe.159), led by Iyad Ag Ghali (QDi.316), in particular its *katibas* in Macina, Serma and northern Burkina Faso under the command of Amadou Koufa (QDi.425) and Jafar Dicko,<sup>51</sup> respectively, launched in March and April 2020 a major offensive on the Islamic State West Africa Province (ISWAP – QDe.162) *katiba* of Adnan Abou Walid al-Sahraoui (QDi.415), known as Islamic State in the Greater Sahara (QDe.163).

45. JNIM initially evicted ISWAP from the Gourma area, with the latter retreating to the Hausa communities, on the western bank of the Niger river between Ansongo and the border with the Niger, and to Burkina Faso and the Niger. At the time of writing the present report, a counter-offensive reportedly pushed JNIM back to the I-n-Tillit area. Localized skirmishes also occurred in Gao and Kidal regions, for example, between Talataye and I-n-Délimane; however, Ménaka region remained unaffected to date, because of the reported existence of a non-aggression pact between JNIM, ISWAP and compliant armed groups.<sup>52</sup>

*Collusion between compliant and terrorist armed groups*

46. The Panel did not corroborate information received<sup>53</sup> that members of CMA had participated in the JNIM offensive on ISWAP;<sup>54</sup> however, the reinforcements, of around 30 pick-up truck vehicles and dozens of motorbikes under the command of Bah Ag Moussa (QDi.424)<sup>55</sup> and former Haut conseil pour l'unité de l'Azawad (HCUA)<sup>56</sup> military commander Bokhaba Ag Hamzatta,<sup>57</sup> sent from northern Gourma

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<sup>50</sup> The main component of the Plateforme.

<sup>51</sup> Amadou Boucary Dicko, known as Jafar Dicko, is the brother of Malam Dicko, who was founder of Ansar al-Islam and close associate of Amadou Koufa and was killed in 2017.

<sup>52</sup> Almahmoud Ag Baye, known as Ikaraye, reportedly maintained strong personal connections with the JNIM regional commander, Fakhani Ag Taki, and his deputies for Ménaka and Tidermène, Inkarota Ag Nokh and Mohamed Ag Hama, respectively, as well as with CMA military commanders Mohamed Ali Ag Ahmed, known as Hamad Ali, and Najim Ould Baba Ahmed, known as Alwayjam; see also [S/2020/158/Rev.1](#), paras. 70–75.

<sup>53</sup> Including from the Islamic State digital newspaper, Al-Naba, which reported on 11 June 2020 in its issue No. 238 that Al-Qaida was hiding itself as “focal points of the Coordination des mouvements de l'Azawad”, “carrying many flags on the front of their cars to use whatever suits them when they move”.

<sup>54</sup> Except the potential participation on 31 May 2020 of Bahrou Ag Mahamad, from HCUA Talataye, in fighting alongside his brother Saghdoudoune, from Ansar Eddine, against the Islamic State units of Ikaraye and Ousama Al-Fulani.

<sup>55</sup> Bah Ag Moussa was reportedly wounded during the fighting and replaced on the frontline by Sidan Ag Hitta (confidential report, 1 May 2020).

<sup>56</sup> Part of the CMA coalition.

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and Kidal region to Ndaki and bordering areas between Mali, Burkina Faso and the Niger, used CMA flags and banners to prevent potential interception by international forces.

47. The Panel received confidential information indicating that members of the Mouvement arabe de l’Azawad (MAA)-Plateforme<sup>58</sup> of Hanoune Ould Ali in Tabankort and Almoustarat, including his military chief of staff, Alghamar Ould Hamadi, reportedly participated in the attack against the Malian armed forces bases in Tarkint on 20 March and Bamba on 6 April 2020,<sup>59</sup> which JNIM claimed to have carried out.<sup>60</sup> Alghamar was reportedly wounded during the attack on Tarkint, and three of his tribesmen were buried in the days after.<sup>61</sup> The potential implication of HCUA elements from Kidal, Ber and/or Timbuktu in the Bamba attack is still being investigated.

48. The Panel received a letter dated 22 May 2020 (see annex VIII) from the President of CMA, Bilal ag Acherif, in response to its midterm report to formally deny all accusations of CMA collusion with terrorist groups and responsibility for crimes committed by individuals claiming allegiance to CMA. The letter pointed out a factual error – that Salah Ag Ahmed led a CMA patrol that killed four combatants of the Mouvement pour le salut de l’Azawad of the Daoussak (MSA-D) and three civilians in Agardanamos – that had by then also been remarked by the Panel and corrected in the reissued version of the midterm report (S/2020/158/Rev.1).

#### **Manipulation of armed groups and militia by the Malian State<sup>62</sup>**

49. Since the inception of the first community-based self-defence militia in Gao in the 1990s,<sup>63</sup> the Malian State has been repeatedly accused of co-opting and supporting ethnic- or community-based militia and manipulating armed groups in central and northern Mali in the context of armed conflict with insurgent armed groups from northern Mali.<sup>64</sup>

#### *A pattern of outsourcing counter-insurgency*

50. The manipulation of and support for militias and armed groups by the Malian State, or State agents, has been different in degree and kind, depending on the

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<sup>57</sup> Bokhaba is a Tuareg Taghat Mellet from Ti-n-Essako and a former senior military commander of HCUA, close to Alghabass Ag Intalla. He was previously in charge of the coordination of Ansar Eddine units fighting alongside CMA against GATIA in 2016 and 2017, and was wounded on 14 February 2020 in Tin Zaouatène by French forces.

<sup>58</sup> In September 2013, MAA split into two factions. The faction led by Sidi Ibrahim Ould Sidati joined CMA, while the other faction, led by Ahmed Ould Sidi Mohamed, joined the Plateforme.

<sup>59</sup> Communications with three corroborating confidential sources on 21, 22 and 23 March 2020, respectively; confidential document, 30 April 2020.

<sup>60</sup> More specifically, by Hamama Ould Alkhouwayar, known as Abou Hamza, leader of Al-Mourabitoun (QDe.141).

<sup>61</sup> Communication with confidential source.

<sup>62</sup> To prevent the potential identification of the Panel’s confidential sources, and in accordance with the Panel’s investigation methodology (see paras. 4–6 above), no specific indication of time and location of the Panel’s testimonial evidence, all collected during meetings and interviews conducted in Mali between 2018 and 2020, or of the nature and origin of the documentary evidence collected over the same period, will be provided in the present section.

<sup>63</sup> Ganda Koy, which means in Songhai “the lords of the land”.

<sup>64</sup> The Panel is aware of the existing categorization of armed groups made in academic literature, notably the distinction between militia, defined either as “community-driven” or by their “anti-rebel dimension”, and “insurgent-affiliated” armed groups; see Corinna Jentsch, Stathis N. Kalyvas and Livia Isabella Schubiger, “Militias in civil wars”, *Journal of Conflict Resolution*, vol. 59, No. 5 (August 2015). However, the Security Council resolutions by which the Panel’s mandate has been established and renewed only refer to armed groups.



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situation, period and location, and has significantly evolved over time. Several parameters, such as autonomy over strategy, command and control, recruitment, finance, resources, logistics and operations, can describe the type and level of State implication in the inception and general functioning of those armed actors.

51. The State agents in charge of the relationship with militias and proxies also differ, including cases where direct support is provided locally by State representatives without the approval or knowledge of central institutions.<sup>65</sup> In Mali, two institutions have been involved in outsourcing conflict to, supporting and manipulating armed groups:

(a) The Malian armed forces (Forces armées maliennes), which are in charge of the provision of military logistics (vehicles, trucks, fuel and ammunition, either from their own stockpiles or through specific procurement) and the provision of human resources through the administrative release of active soldiers, non-commissioned officers, officers and senior officers,<sup>66</sup> and have participated in joint military operations and patrols;

(b) The Malian State security service (Direction générale de la sécurité d'État), which is in charge of the manipulation strategy with regard to armed groups, of the political and financial aspects of its implementation, and of the handling of key individuals as sources of privileged information or State agents acting on its behalf.

52. In addition to the support provided by the Malian State, pro-government militia received significant financial assistance from influential businessmen, smugglers and traders from northern Mali, in exchange for State security protection and promises of impunity.<sup>67</sup> The Panel collected evidence of an attempt by the Malian State security service to pressure the Government of the Niger to release members of the trafficking network of listed individual Mohamed Ben Ahmed Mahri, known as Rouggy (MLi.007), while simultaneous steps were taken in person by Mohamed Ould Mataly (MLi.008) and Hanoune Ould Ali. Rouggy's network in Niamey was dismantled in April 2018 in connection with the seizure of 2.5 tons of cannabis on 14 June 2018.<sup>68</sup>

53. The Panel was provided with confidential information indicating that such interventions to release drug traffickers, who were convicted by the justice system of the Niger on 29 April 2020 (see paras. 87–97 below), were part of a large-scale protection scheme covering members of the Lemhar Arab community, including

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<sup>65</sup> In the context of central Mali, the International Federation for Human Rights (FIDH) reached similar conclusions; FIDH and Association malienne des droits de l'homme, *Dans le centre du Mali, les populations prises au piège du terrorisme et du contre-terrorisme: rapport d'enquête* (2018), pp. 51–52.

<sup>66</sup> Different justifications have been used, publicly or in confidential discussions with members of the international community, in particular in the case of senior officers, such as Gamou and Ould Meydou, who were both gradually promoted from Colonel in 2011 to Division General on 29 October 2018; for other ranks, they were mostly officially labelled as “deserters”, but were in fact “on administrative leave”: only insurgents were dismissed from the armed forces (meeting with diplomatic sources, 2018).

<sup>67</sup> Confidential report, 17 March 2016, pp. 42–43, archived at the United Nations; and Ivan Briscoe, *Crime after Jihad, Armed Groups, the State and Illicit Business in Post-Conflict Mali* (The Hague, Netherlands Institute of International Relations Clingendael, 2014), pp. 26–27. Mohamed Ould Mataly referred implicitly to that tacit agreement in a meeting with the Panel when complaining that, after all that he and his community had done for Mali, including in 2012 against the rebellion, he and his family members, Mohamed Rouggy and Mahri Sidi Amar Ben Daha (MLi.006), known as Yoro Ould Daha, did not deserve to be subject to targeted sanctions (meeting with Ould Mataly, Bamako, November 2019).

<sup>68</sup> Meetings with confidential sources, 2018 and 2019; see also [S/2019/636](#), paras. 106–108, [S/2019/137](#), paras. 65–68, and [S/2018/581](#), paras. 126–129.

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those arrested on suspicion of terrorism, provided in exchange for monthly payments made by Mohamed Ould Mataly, at least until July 2018, to General Moussa Diawara, head of the Malian State security service, and his deputy in charge of counter-terrorism, Colonel Ibrahima Sanogo.<sup>69</sup>

*Historical background: pro-government militia*

54. Researchers have pointed to the former Prime Minister, Soumeylou Boubeye Maïga, as being the designer of the first proxy counter-insurgency strategy of the Malian State, as former head of the Malian State security service and belonging to the Songhai community in Gao.<sup>70</sup> The most visible aspect of the strategy was the official launch in April 1994 of a counter-insurgency militia aimed at protecting communities living on the banks of the Niger river from Tuareg insurgents, the Mouvement patriotique Ganda Koy, by Malian red beret army officers<sup>71</sup> of Songhai origin and Ali Bady Maïga.<sup>72</sup> The Ganda Izo (“the sons of the land”), created in 2008, replicated that configuration, with a non-commissioned officer of the Malian armed forces of Fulani origin, Sergeant Amadou Diallo, as its military commander.

55. Militias controlled or co-opted by government representatives can still “shift their loyalties and may pursue agendas that are at odds with the interests of the State”.<sup>73</sup> Ganda Koy and the Ganda Izo, responsible for large-scale massacres of civilians,<sup>74</sup> were eventually the target of security operations from the Malian armed and security forces, including the “catch and release policy” of its leaders.<sup>75</sup>

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<sup>69</sup> Confidential report, 22 February 2013; and confidential document, July 2018. Exceptions to the protection scheme exist, such as Mimi Ould Baba, son of the Mayor of Tarkint, Baba Ould Cheikh, who was transferred from State security custody to the Malian special justice unit for his participation in the terrorist attacks in 2016 in Côte d’Ivoire (Grand-Bassam) and Burkina Faso (Ouagadougou), charged with terrorism and convicted by the Malian justice system. The financial arrangement would also allow Rouggy and Ould Mataly to fly with Malian air force CASA C-295MW aircraft between Gao and Bamako, considering that targeted measures prevented MINUSMA from providing sanctioned individuals with any form of “financial, operational or logistical support from United Nations entities deployed in Mali”, in accordance with paragraph 3 of Security Council resolution 2480 (2019), renewed in paragraph 5 of Council resolution 2531 (2020).

<sup>70</sup> Grégory Chauzal and Thibault van Damme, *The Roots of Mali’s Conflict: Moving Beyond the 2012 Crisis* (The Hague, Netherlands Institute of International Relations Clingendael, 2015); investigation journalists have also reported on the role of Soumeylou Boubeye Maïga as designer of the strategy.

<sup>71</sup> The military wing of Ganda Koy was commanded by Captain Abdoulaye Mahamahada Maïga and Lieutenants Lamine Diallo and Abdoulaye Cissé, alias “Blo”, and was mainly composed of soldiers of Songhai origin from the military unit previously under their command. Baz Lecocq, *Disputed Desert, Decolonization, Competing Nationalisms and Tuareg Rebellions in Northern Mali*, Afrika-Studiecentrum Series, vol. 19 (Brill, 2010), pp. 249–250 and 285–286; Charles Grémont, *Comment les Touaregs ont perdu le fleuve: Éclairage sur les pratiques et les représentations foncières dans le cercle de Gao (Mali), XIXe-XXe siècles* (IRD Editions, 2005), p. 278; and Andrew McGregor, “The sons of the land: tribal challenges to the Tuareg conquest of northern Mali”, *Terrorism Monitor*, vol. 10, No. 8 (20 April 2012).

<sup>72</sup> Lecocq, *Disputed Desert*, p. 278. Ali Bady Maïga, a Songhai business man, retains a key role in Gao politics and governance as head of the Cadre de concertation, established during the 2012 occupation to mediate between jihadist groups occupying Gao and local communities (meetings with confidential sources, 2018–2020).

<sup>73</sup> Jentzsch, Kalyvas and Schubiger, “Militias in civil wars”, p. 756.

<sup>74</sup> In the case of Ganda Koy, massacres were committed in a proxy capacity by Malian armed forces soldiers previously involved in the killing of civilians; Lecocq, *Disputed Desert*, pp. 285–290; Alessandra Giuffrida, “Métamorphoses des relations de dépendance chez les Kel Antessar du cercle de Goundam”, *Cahiers d’études africaines*, vol. 45, Nos. 179–180 (2005), p. 817; United States of America, State Department, cable reference, No. 08BAMAKO778\_a.

<sup>75</sup> McGregor, “The sons of the land”; the author also reports information regarding negotiations between Malian State security services and Sergeant Diallo, with the latter requesting money, a

56. State agents can also join jihadist groups if it serves a more global effort against insurgent armed groups, as observed in 2012 in Gao, where a broad coalition that included members of pro-government militias (MAA, Ganda Koy and Ganda Izo) emerged in June 2012 to expel, alongside the Mouvement pour l'unification et le jihad en Afrique de l'Ouest (MUJAO – QDe.134), the Organization of Al-Qaida in the Islamic Maghreb (QDe.014) and Ansar Eddine (QDe.135), the military and political leadership of the Mouvement national de libération de l'Azawad (MNLA), which declared the independence of Azawad on 6 April 2012.<sup>76</sup> This opportunistic fluidity between Ganda Koy, Ganda Izo and MUJAO can still be observed with Islamic State, now opposing the strategy of the Malian State,<sup>77</sup> with military commanders from Gabero, Tassiga, Fafa and Ouattagouna retaining key positions within the terrorist organization and exerting their grip on the area between Gao, Ansongo and the border with the Niger.<sup>78</sup>

*Historical background: army proxies*

57. Between 2006 and 2008, two Colonels of the Malian armed forces and former rebels, Mohamed Abderahmane Ould Meydou and El Hadj Ag Gamou, and Lieutenant-Colonel Lamana Ould Bou, from the State security service, were co-opted as military agents of the State<sup>79</sup> in the north of Mali to lead the response<sup>80</sup> of the Government of President Amadou Toumani Touré,<sup>81</sup> against the rebel group led by Ibrahim Ag Bahanga.<sup>82</sup> The establishment of those army proxies, consisting of regular soldiers of the Malian armed forces alongside Arab and Imghad militiamen, was partly funded by private Arab businessmen from Ber, such as Dina Ould Deya and Oumar Ould Ahmed (see paras. 95 and 99 below).<sup>83</sup> On 21 January 2009, Gamou's militia, the "Delta Force", supported by regular Malian armed forces, successfully chased Bahanga's group out of Tigharghar.<sup>84</sup>

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car and a house in Bamako to renounce his engagement with Ganda Izo.

<sup>76</sup> Edoardo Balduino and Luca Raineri, "Azawad: a parastate between nomads and mujahidins?", *Nationalities Papers*, vol. 48, No. 1 (January 2020), pp. 108–110; and confidential report, 22 February 2013.

<sup>77</sup> The assassination of Mahri Sidi Amar Ben Daba (MLi.006) – an MAA-Plateforme member formerly associated with MUJAO – on 9 February 2020 in Tamkoutat in Gao region was allegedly perpetrated by Islamic State elements with whom he had previously collaborated (meeting with confidential sources in Gao, 7 and 8 March 2020).

<sup>78</sup> See also [S/2020/158/Rev.1](#), para. 59; one of them, Abdoullahi Diallo, nephew of the military chief of staff of Ganda Koy/Coordination des mouvements et fronts patriotiques de résistance (CMFPR)-1 and representative of the Plateforme at the Technical Commission on Security of the Agreement Monitoring Committee, Djibrilla Moussa Diallo, was wounded in the attack against the base of the armed forces of the Niger in I-n-Atès, the Niger, on 10 December 2019; Diallo's family is located in Fafa, where Ganda Koy was already headquartered in the 1990s (meeting with confidential source, Bamako, 12 March 2020).

<sup>79</sup> Ferdaous Bouhleb, Charles Grémont and Yvan Guichaoua, "Contestation armée et recompositions religieuses au nord-Mali et au nord-Niger: perspectives locales", unpublished study for the Ministry of Foreign Affairs of France, September 2009, p. 22.

<sup>80</sup> United States, State Department, cable reference Nos. 08BAMAKO482\_a, 09BAMAKO36\_a and 09BAMAKO163\_a; in the first leaked cable, the President's adviser, Abdoul Kader Bah, explicitly said that "the Malian Government helped Gamou constitute an irregular militia of fellow Imghads".

<sup>81</sup> ATT was President of Mali between 2002 and 2012.

<sup>82</sup> Nicolas Desgrais, Yvan Guichaoua and Andrew Lebovich, "Unity is the exception: alliance formation and deformation among armed actors in Northern Mali", *Small Wars and Insurgencies*, vol. 29, No. 4 (2018), p. 659.

<sup>83</sup> Wolfram Lacher, "Organized crime and conflict in the Sahel-Sahara region", *The Carnegie Papers*, September 2012, p. 12.

<sup>84</sup> Lecocq, *Disputed Desert*, p. 338; the "Delta Force" was mainly composed of Imghad fighters formerly with the Armée révolutionnaire pour la libération de l'Azawad.

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58. In 2012, residual elements of Ould Meydou's militia and tribesmen from the Tilemsi valley created the Mouvement arabe de l'Azawad,<sup>85</sup> headed by Ahmed Ould Sidi Mohamed and financially supported again by some prominent Arab businessmen, including those involved in the Air Cocaine case.<sup>86</sup>

59. The most blatant case of creation by the Malian State of an army proxy is GATIA, established in May 2014 after the failed attempt by the Malian armed forces to return by force to Kidal on the occasion of a visit by the then Prime Minister, Moussa Mara. The Panel was able to access a confidential report detailing the various forms of logistical assistance and support provided in 2014 and 2015 by the Malian armed forces for the establishment of GATIA, including through the release of military personnel,<sup>87</sup> the procurement of vehicles and the provision of army pick-up and transport trucks, fuel and ammunition.<sup>88</sup> GATIA progressively gained autonomy as an armed group, changing its strategy from taking over Kidal from CMA to community protection. This strategy was somehow made official in October 2017 during the second round of negotiations in Anéfis, Kidal region, with CMA.<sup>89</sup>

60. The Panel also documented that in 2016, the Malian State security service recruited and paid a dozen of dozo hunters to guide Malian armed forces units tracking supporters of Amadou Koufa in the *cercle* of Koro. In April 2019, the Malian State security service reportedly sent four retired Dogon army officers to prevent the dismantlement of the military apparatus of Dan Nan Ambassagou following the first massacre of hundreds of Fulani civilians in Ogossogou Peul on 23 March 2019. The military chief of staff of Dan Nan Ambassagou, Youssouf Toloba, has a long history as a militiaman with Ganda Koy and Ganda Izo. The political representative of Dan Nan Ambassagou, Mamadou Goudienkilé, holds the rank of Captain with the Malian armed forces.

### **Counter-insurgency politics: weakening of the Coordination des mouvements de l'Azawad and creation of the Coordination des mouvements de l'entente**

61. In 2017, the Government of Mali progressively changed its counter-insurgency strategy and abandoned direct military support to army proxies, following intense pressure from the Government of the United States of America<sup>90</sup> and the adoption by the Security Council of the sanctions regime on 5 September 2017 pursuant to resolution [2374 \(2017\)](#). With the exception of the residual logistical support provided between 2017 and 2019 to the GATIA- MSA-D coalition, in the context of joint operations aimed at countering the growing influence of Islamic State in the Greater Sahara in Ménaka region and in the Gourma area,<sup>91</sup> the Panel has not

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<sup>85</sup> Yvan Guichaoua and Mathieu Pellerin, *Faire la paix et construire l'état: les relations entre pouvoir central et périphéries sahéniennes au Niger et au Mali*, study by the Institut de recherche stratégique de l'École militaire, No. 51 (Paris, 2017), pp. 82–83.

<sup>86</sup> Confidential report, 22 February 2013; Mark Micallef, Raouf Farrah, Alexandre Bish and Victor Tanner, *After the Storm: Organized Crime across the Sahel-Sahara Following Upheaval in Libya and Mali* (Geneva, Global Initiative against Transnational Organized Crime, 2019), p. 15; MAA split in 2013, with Ibrahim Ould Sidatti joining CMA with a large part of the Bérabiche Arabs from Timbuktu region.

<sup>87</sup> In addition to General Gamou, several officers, non-commissioned officers and soldiers of GATIA were officially part of the Malian armed forces or the national guard, notably from the eighth combined arms tactical group (Groupement tactique inter-armes – GTIA).

<sup>88</sup> Confidential report, 10 April 2015; archived at the United Nations.

<sup>89</sup> Agreement reached in Anéfis between GATIA and MNLA.

<sup>90</sup> Emma Farge, "U.S. calls on Mali Government to sever ties with northern militia", Reuters, 28 September 2016.

<sup>91</sup> In particular in the context of the Koufra joint operations (see [S/2018/581](#), paras. 68, 180–181 and 184 and annex XIV).

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received any information indicating that the Malian armed forces are still providing assistance and support to armed groups in northern Mali.<sup>92</sup>

62. However, the Panel documented, as described below, how the Malian State security service, under the direction of General Moussa Diawara, became the new institutional vector of an unofficial strategy aimed at obstructing through prolonged delay the implementation of the Agreement. Such a strategy, which was reportedly elaborated by an inner circle close to the President of Mali, disrupted efforts made by other officials of the Government and its administrative bodies to move forward with the priority tasks identified by the Agreement Monitoring Committee.<sup>93</sup>

#### *Divide and rule*

63. The Government of Mali has acted in breach of the principle of “implementation in good faith” of the Agreement, provided for in article 2 thereof. In this context, the Malian State security service incited, encouraged and facilitated the fragmentation of CMA. More specifically, the Panel received first-hand information about direct financing by the Malian State security service of key individuals who created splinter groups of MNLA in 2016. Such splits and divisions contributed to weakening and destabilizing CMA, resulting in a change in the balance of power between MNLA and HCUA. The Panel also received confidential information indicating that in 2019, the Malian State security service fuelled the internal divisions of the Plateforme in Timbuktu and Taoudenni by manipulating lists for disarmament, demobilization and reintegration on behalf of the different components of the Plateforme, so as to paralyse further the functioning of the Agreement Monitoring Committee and the disarmament, demobilization and reintegration process (S/2019/636, paras. 48–49).

64. The Malian State security service was also instrumental in the creation and rise of the Coordination des Mouvements de l’Entente (CME), founded in November 2017. Its founder, Mohamed Ousmane Ag Mohamedoune (MLi.003),<sup>94</sup> was designated on 20 December 2018 by the Security Council Committee established pursuant to resolution 2374 (2017) concerning Mali for actions taken and policies that obstructed by prolonged delay and threatened the implementation of the Agreement, as detailed by the Panel in its previous reports.

65. With the support of the Malian State security service, Mohamed Ousmane and CME successfully established themselves, in particular to the MINUSMA leadership and the international mediation team, as an organization representing the “inclusivité”.<sup>95</sup> The Malian State security intelligence officer responsible for handling Mohamed Ousmane between 2017 and 2019, Colonel Bougady Singaré, was acting undercover as head of the support unit for reconciliation and special

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<sup>92</sup> With regard to the situation in central Mali, see paras. 7–16 above.

<sup>93</sup> Several confidential sources provided the Panel with the names of three individuals who reportedly elaborated this strategy; the Panel is currently investigating their individual responsibility and role in the obstruction strategy.

<sup>94</sup> Mohamed Ousmane cumulates the following functions: founder of COMPIS-15; founder and spokesperson of CME; Secretary-General of the Coalition pour le peuple de l’Azawad (CPA) since June 2015, after taking over the group from Ibrahim Ag Mohamed Assaleh; regional representative for Timbuktu of the political party Convergence pour le développement du Mali of former government minister Housseini Amion Guindo; unsuccessful candidate during the most recent legislative elections in Goundam; President of the Conseil supérieur des Kel Razzaf-Ichérifien, after taking over from Mohamed Ali Ag Mattahel, known as Doly; and founder and President of his own political party, the Mouvement pour la restauration de la dignité et la souveraineté du peuple et de la nation, launched on 4 September 2019 in Bamako.

<sup>95</sup> The concept of inclusivity was initially designed as an interface aimed at including civil society organizations from northern Mali, including youth and women’s associations.

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adviser to the Minister of Social Cohesion, Peace and National Reconciliation of Mali, Lassine Bouaré. Colonel Singaré was replaced in 2020 by Lieutenant-Colonel Malick Yero Dicko.

66. In 2018, the Malian State security service actively engaged other parts of the Government to advocate for the demands of CME to be included in the different mechanisms (for example, disarmament, demobilization and reintegration, and subsequent integration) and interim measures (for example, interim authorities) provided for in the Agreement and its annexes (S/2018/581, paras. 26 and 98–100 and annex VIII). Moussa Diawara personally intervened, with the High Representative of the Head of State for the implementation of the Agreement, to make sure that relevant quotas for disarmament, demobilization and reintegration were attributed to CME in Timbuktu region, to the detriment of CMA.

67. The handling of lists for disarmament, demobilization and reintegration by the Malian State security service also resulted in the sale of opportunities to join the disarmament, demobilization and reintegration process for an average of 500,000 CFA francs, the exact price depending on the rank, including to individuals from southern Mali and Bamako, creating frustration among actual members of armed groups and communities of northern Mali. The Panel was informed that Colonel Singaré was directly involved in the marketing of disarmament, demobilization and reintegration slots initially allocated to CME.

68. The Panel documented that a few months after the designation of Mohamed Ousmane for targeted sanctions on 20 December 2018, Colonel Singaré summoned the leaders of the different components of CME to his office in order to put an end to dissenting views that were challenging the primacy of Mohamed Ousmane over the coordination. The leaders then had to approve forged minutes of a meeting unanimously deciding the reappointment of Mohamed Ousmane as President and spokesperson of CME, instead of Hassan Ag Mehdi, known as “Colonel Jimmy” and Secretary-General of the Front populaire de l’Azawad (FPA).

69. Lastly, the Panel collected evidence demonstrating that the Malian State security service was until recently still establishing lists for disarmament, demobilization and reintegration on behalf of 11 armed groups that are part of the “Mouvements de l’inclusivité”.<sup>96</sup> In a decision dated 4 March 2020, announced in person to the armed groups’ leaders the day before, Lieutenant-Colonel Malick Yero Dicko, Singaré’s replacement, allocated 15 positions for regional offices for disarmament, demobilization and reintegration, attributing three seats to CPA, led by Mohamed Ousmane, three to CMFPR-2, led by Ibrahim Kantao,<sup>97</sup> and one seat to each of the remaining nine armed groups of the “inclusivité”.

70. Lieutenant-Colonel Dicko’s decision follows the dissolution of CME, announced by means of a communiqué published on 29 February 2020 by FPA, MPSA and MSA-Chamanamas. Since then, all the armed groups part of the “inclusivité”, with the exception of CPA, led by Mohamed Ousmane, and CMFPR-2, constituted on 4 May 2020 a new platform called the Coordination des mouvements de l’inclusivité, coordinated by the leader of MPSA, Boubacar Sidigh Ould Taleb.

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<sup>96</sup> Namely, CPA, the Congrès pour la justice dans l’Azawad led by Hama Ag Mahmoud (based in Er Entéguèf), the Congrès pour la justice dans l’Azawad of Azarok Ag Inaborchad (based in Gargando), CMFPR-2, CMFPR-3, Ganda Izo, Ganda Lassal Izo, the Alliance des communautés des régions de Tombouctou et Gao, MPSA, FPA and the Mouvement pour le salut de l’Azawad of the Chamanamas (MSA-Chamanamas).

<sup>97</sup> CMFPR-2, led by Ibrahim Abba Kantao and Younoussa Touré, is still formally part of CMA.

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71. Information received by the Panel in April and May 2020 indicates that the Malian State security service continued to actively support Mohamed Ousmane in maintaining his leadership over CPA, following a split announced by means of a communication dated 23 April 2020 from the self-declared new Secretary-General of CPA, Mohamed Ould Ahmed, addressed to the Minister of Social Cohesion, Peace and National Reconciliation. According to the Panel, such support and assistance fall under the designation criteria specified in paragraph 8 of Security Council resolution [2374 \(2017\)](#).

## **IV. Organized crime**

### **A. Trafficking of narcotic drugs**

72. The most regular and stable narcotics flow through Mali remains cannabis resin, or hashish, from Morocco, moving via Mauritania and Mali through the Niger to Libya. There is also mention, however, of hashish convoys taking cocaine along, since the supply routes of both narcotics products converge in Mali and take the same direction. The Panel received two precise testimonies from informed Government sources concerning an intercept in Tabankort of 1 ton of cocaine, which was flown by a CASA CN-235 transport aircraft of the Malian army from Gao to Bamako during the weekend of 11 and 12 May 2019<sup>98</sup> and is allegedly in the custody of the Malian security service.

73. Below the general direction of trade, various trade routes exist at the micro level, which can shift, blend or diverge, depending on either opportunistic decisions or long-standing relationships between ever-competing criminal networks that are usually associated with signatory armed groups.

74. Information surfaces when competition turns into violence or when authorities manage to seize volumes, bearing in mind that seizures are often a consequence of friction between previously cooperating elements. Further details regarding the seizure in Niamey in June 2018 are a good illustration (see paras. 77–87 below). In terms of violence, the Panel's midterm report alluded to increased confrontations in Mali along the western border with Mauritania and decreased confrontations along the eastern border with the Niger, probably resulting from a rapprochement between segments of MAA-Plateforme from Gao and CMA in Kidal.

75. Confrontations along the western border have not reduced and recent confrontations over a hashish convoy crossing into the Niger on 9 June 2020 indicates that coordination between the erstwhile opposed networks has already fallen apart (see paras. 102–103 below). Drug interceptions have followed a pattern whereby parties from Kidal prey on convoys of MAA-Plateforme- and MAA-CMA-associated criminal networks that move south of the region, from Lerneb and Bou-Djébéha via Ber to Gao region and across the border with the Niger in Ménaka region. The intensified southern movement may have been a reaction to the rapprochement that was intended to pull traffic northwards.

76. Violent confrontations could amount to a ceasefire violation, but in very few cases is there clear indication of the involvement of more than one signatory group.<sup>99</sup> In addition, violent confrontations over shipments also emerge from within

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<sup>98</sup> Correspondence with confidential sources in Gao on 16 May 2019 and in Bamako on 10 June 2020.

<sup>99</sup> During the reporting period, the Technical Commission on Security did not instruct the joint observation and verification teams to conduct any missions to investigate ceasefire violations in relation to incidents over alleged drug convoys (see paras. 93–96 and 101–103 below).

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a single network and associated armed group. Whether or not it amounts to ceasefire violations, the involvement of signatories in drug trafficking is a threat to the implementation of the Agreement, in which parties commit to jointly fight organized crime.

### **Drug seizures: updates and recent cases**

*Niamey, April–June 2018*

77. On 29 April 2020, the High Court of Niamey sentenced individuals arrested for their involvement in international drug trafficking in April 2018,<sup>100</sup> as detailed in the Panel's previous reports (see [S/2018/581](#), paras. 126–129, [S/2019/137](#), paras. 65–68, and [S/2019/636](#), paras. 106–108). A 10-ton hashish shipment had been transported from Morocco in cooling trucks via Mauritania, Mali and Burkina Faso to the Niger. The larger part of the shipment, about 7 tons, was taken from a warehouse in Niamey on the night of 12–13 April 2018 and was alleged to have made its way to Libya. Two months after the arrests, on 13 June 2018, Niger authorities confiscated 2.5 tons that were hidden in the same warehouse.

78. Mohamed Ben Kazou Moulati,<sup>101</sup> an associate of sanctioned individual Mohamed Ben Ahmed Mahri (MLi.007), known as Rouggy, was sentenced to five years in prison, as were his companions, Mohamed Mellouki and Khalef Elmehri, both of Algerian nationality, with whom he had arrived in Niamey on 16 April 2018. Rouggy had arranged their travel and visas through his connections in the Malian embassy in Algiers, declaring that they were working for the company Tilemsi Distribution (see [S/2020/158/Rev.1](#), paras. 87–88) and had to travel to Gao via Niamey. Mohamed Lamine Sekouni, who had come to meet them at the airport, was acquitted owing to a procedural error.

79. Abdelali Boutafala, a Moroccan national, was sentenced to three years in prison. He had arrived a day prior, together with Ali Boulouha, who escaped arrest and returned to Morocco, where he is being monitored by the police but has not been arrested. The two Moroccans had been followed to the warehouse. The tenant of the warehouse, Almahdi Hamaou, of Nigerien nationality, was sentenced to four years in prison, as was Ahmed Mohamed Lackcherie, alias Banjar, who is believed to have diverted part of the shipment at the expense of Rouggy and Moulati. Banjar had fled to Algeria, but was arrested in Tamanrasset on 16 December 2018 and was extradited to the Niger on 1 March 2019.<sup>102</sup>

80. The Moroccans and Algerians reportedly both came to Niamey to resolve an apparent conflict over the shipment between Banjar and Rouggy, with the Moroccans on the side of Banjar and the Algerians on the side of Rouggy.

81. The highest sentence, in absentia, of 20 years imprisonment and a fine of 10 million CFA francs, befell on Mamane Korey Chana, like Banjar of Nigerien nationality and involved in diversion of drugs. Chana is from the Tebu community that straddles the border between the Niger and Libya, and is instrumental for Algerian and Malian Arabs to transport shipments across the border. It is likely that Rouggy intended to get around Tebu networks, and conflict over the shipment arose partly as a result.

82. Besides Rouggy, another protagonist missing from among those sentenced is Dina Taouling, a Nigerien Arab, whose role is key to understanding the operation. Taouling owned part of the shipment, as did Rouggy and Moulati.<sup>103</sup> He seems to be

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<sup>100</sup> Correspondence from government official of the Niger, 16 June 2020.

<sup>101</sup> Moulati has dual nationality (Malian and Algerian).

<sup>102</sup> Member State information, 23 March 2020.

<sup>103</sup> Meetings with confidential sources, Niamey, 17–19 February 2020.



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on Banjar's side, as he hosted the latter when in hiding in Algeria, yet he was also Rouggy's correspondent in Algeria, who sent Elmehri and Mellouki to Niamey.

83. It is important to note that Taouling<sup>104</sup> was involved, together with Chana,<sup>105</sup> in an earlier similar intercept in July 2016 of 2 tons of cannabis and a large sum of money belonging to Sherif Ould Tahar, a long-time associate of Rouggy,<sup>106</sup> both from the Arab Lemhar *fraction*. Taouling and Mohamed Hassane, a Tebu residing in Agadez also involved in the intercept, were taken hostage and were brought to Mali so as to force their patron to pay ransom in return for stolen goods.<sup>107</sup> Both Rouggy and Banjar claim they played a role in liberating the hostages.<sup>108</sup> It is more likely that Rouggy kept the hostages, considering his proximity to Ould Tahar, while Banjar enabled their release, considering that Banjar could later rely on Taouling when fleeing to Algeria.

84. Since his release in 2017, Hassane has suffered from mental illness because of alleged harsh treatment.<sup>109</sup> Banjar's relationship with Rouggy is likely have soured as a result. According to a first-hand witness involved in the operation, tribal relationships and cycles of vengeance were at the root of the problem, because of which people were imprisoned.<sup>110</sup> Indeed, diversion by Banjar may have been revenge for what was considered a disproportionate reaction of the Lemhar Arab network, including Rouggy, operating under Ould Tahar in July 2016.

85. However, Ould Tahar does not appear in the events of 2018. According to several sources, Rouggy has been trying to establish a separate trading chain for himself, generating reprisal action, while Ould Tahar managed not to antagonize Nigerien counterparts.

86. Another name that emerged from the investigation is Ghoumour Itouwa Bidika,<sup>111</sup> a former rebel leader during the Tuareg insurrection in the Niger from 2007 to 2009.<sup>112</sup> Bidika was in contact with Almahadi Hamaou, the tenant of the warehouse where drugs were found, responsible for onward transport to Libya.<sup>113</sup> Bidika was a close associate of the late drug baron and former Member of Parliament, Cherif Ould Abedine, and before the latter's death in February 2016 was responsible for transporting Abedine's drug shipments in northern Niger.<sup>114</sup> His death caused drug trafficking networks in the Niger to fracture and compete with each other, despite several attempts to reunite them under new leadership.

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<sup>104</sup> See Moussa Aksar, "Qui protège Chérif ould Tahar, célèbre narcotraficant du Sahel?", *Mondeafrique*, 7 February 2017.

<sup>105</sup> Member State information, 13 December 2018.

<sup>106</sup> Algeria called upon both men to negotiate the release of the Algerian consul and six collaborators who were taken hostage in Gao by MUJAO fighters on 5 April 2012.

<sup>107</sup> See Aksar, "Qui protège Chérif ould Tahar".

<sup>108</sup> Meeting with Rouggy, Bamako, 12 March 2020.

<sup>109</sup> Meeting with a relative of Mamane Hassane, Niamey, 18 February 2020.

<sup>110</sup> Meeting with confidential source, Niamey, 17 February 2020.

<sup>111</sup> It has been claimed in an article that United States armed forces ambushed in Tongo Tongo on 4 October 2017 were looking for Goumour Bidika, alleged to be a facilitator for drug traffickers and terrorists. See Joe Penney, "Drones in the Sahara", *The Intercept*, 18 February 2018. Curiously, in September 2019, Ghoumour Bidika was one of the interlocutors during a mission of French parliamentarians in northern Niger. See Office National d'Édition et de Presse, "Mission parlementaire du Groupe d'Amitié France-Niger dans la région d'Agadez: solidarité et soutien du groupe d'Amitié France-Niger aux populations du nord-Niger", 4 October 2019.

<sup>112</sup> He was the Vice-President of the Front patriotique nigérien, which was erected in March 2009 as a splinter group from the Mouvement des Nigériens pour la justice.

<sup>113</sup> Meeting with confidential source, Niamey, 17 February 2020.

<sup>114</sup> See also Peter Tinti, "Niger's narco-networks", Global Initiative against Transnational Organized Crime, 18 June 2018.

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87. The Panel has not been able to identify individuals or entities involved in the drug supply chain upstream and downstream from Mali and the Niger in connection with the case, other than retrieving several first names and telephone numbers of people in Morocco, Libya, Tunisia and Egypt. The Panel requested information from the Government of Morocco about the identity of hashish suppliers through those telephone numbers. In the reply, it was mentioned that one of the telephone numbers belonged to a company in Salé,<sup>115</sup> but the name was withheld because the information was generated within the framework of an international request for judicial cooperation. Indeed, the Niger had requested the information, but judicial authorities in the Niger told the Panel that they had never received an answer from Morocco.

*Guerguerat, April 2019*

88. In its previous final report (S/2019/636, paras. 112–113), the Panel referred to 12 tons of hashish seized by Moroccan authorities at Guerguerat from a truck. The freight, which consisted of plastics beneath which drugs were hidden, was destined for a company called Sanfo Commerce et Service (SCS) in Bamako. SCS was the same name of the company that Rouggy's accomplice in the cocaine trafficking operation in Bissau in March 2019, Sidi Ahmed Mohamed, had intended to establish there. The Panel inspected, in coordination with competent authorities, the declared premises of SCS in Bamako to find that the stated address was the residence of someone not involved in any business activity. SCS is likely to be another shell company used to cover drug trafficking operations.

89. The freight had been exported by the transport company Impargo Morocco, registered in Casablanca, Morocco, on 11 May 2017.<sup>116</sup> The person having registered the company appeared to have committed identity fraud.<sup>117</sup>

*Western Sahara, July 2019*

90. With regard to a reported hashish seizure in Western Sahara in July 2019,<sup>118</sup> the Panel learned that the convoy was destined to be taken forward by Badi Ould Oumar, from the Oualad-Ich *fraction* of Bérabiche Arabs, from Likrakar, north of Timbuktu. Ould Oumar reportedly negotiated the release of one of the prisoners, presumably his cousin.<sup>119</sup> Badi Ould Oumar is associated with MAA-Plateforme. The seizure was reportedly a reprisal by Sahraouian drug traffickers for increased convoy payments levied by MAA-Plateforme-associated armed elements to take drugs forward. Ould Oumar was also involved in a violent clash over drugs in mid-November 2019 (see paras. 93–96 below).

*Mauritania, April 2020*

91. In an operation carried out on 10 and 11 April 2020, Mauritanian armed forces intercepted and destroyed two vehicles that had come from Western Sahara, moving south-east in the direction of the border with Mali. During the operation, a vehicle that was supposed to meet the two vehicles came from the border with Mali. Seven people were apprehended and 700 kilograms of drugs, supposedly hashish, were confiscated, while approximately 1,800 kilograms were burned in the destruction of the vehicles.

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<sup>115</sup> The reply also mentioned identification of three other numbers belonging to individuals without a record of involvement in drug related crimes.

<sup>116</sup> Meeting with Moroccan authorities, Rabat, 3 March 2020.

<sup>117</sup> Member State information, 29 May 2020.

<sup>118</sup> See annex IX for a picture of the seized material and arrested individuals.

<sup>119</sup> Communications from two independent confidential sources, 11 February and 1 April 2020.

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92. Among those arrested coming from Western Sahara was a certain Hdaidi, believed to be the convoy leader. Among those arrested coming from Mali was Oudha Ould Saad (phonetic spelling), whose uncle, Hammi Ould Moctar or Elmoctar, is among a handful of Malian businessmen, including Guigoz (see para. 94 below), controlling drug trafficking from Mauritania through Timbuktu and Taoudenni regions. Hammi Ould Moctar, who resides in Fassalé, Mauritania, is also known as Hammi Alkwari, the last name referring to a locality near Nampala where he was born. It is not yet clear to the Panel on which armed group he relies.

### **Violent confrontations linked to narcotics trafficking**

#### *Bou-Djébéha, Taoudenni region*

93. On 11 November 2019, a particularly violent confrontation occurred near Bou-Djébéha, 150 kilometres north of Timbuktu. Eight wounded people were brought to Timbuktu hospital, and one died while being transferred to Bamako. The wounded were MAA-Plateforme elements from Likrakar, 10 kilometres north-east of Timbuktu town, who claimed to have been on a patrol to inspect one of their posts.<sup>120</sup> Assailants had come from a north-eastern direction and included Kounta Arabs and Tuaregs from Kidal. Multiple sources attest that the clash involved Badi Ould Oumar, on the MAA-Plateforme side, who reportedly used the patrol to secure his drug transport of approximately 1 ton of hashish.

94. On 14 November, a second attack hit a combined hashish and cocaine convoy north of Bou-Djébéha belonging to Hussein Ould Ghaname or Khanam, alias Guigoz. Again, assailants reportedly came from Kidal region, but were mostly composed of Idnan Tuaregs. Guigoz relies on military backing from MAA-CMA in Ber, notably Hussein Ould Al Moctar, known as colonel Goulam (see [S/2020/158/Rev.1](#), para. 81).

95. Nani Ould Alhousseini and his cousin, Abdellahi Ould Lahmein, who are prominent residents of Bou-Djébéha, were and are claimed to still be involved in drug trafficking in association with Guigoz and Oumar Ould Ahmed (see para. 57 above).<sup>121</sup> Bou-Djébéha is CMA-oriented, while the Organization of Al-Qaida in the Islamic Maghreb (QDe.014) continues to have influence there.

96. As the Panel highlighted in its midterm report, Guigoz' convoys in 2018 were attributed to men acting on behalf of Settar Ould Ahmed Hairi ([S/2020/158/Rev.1](#), para. 81), who was assassinated on 8 July 2018 along with Mohammed Ould Hinnou, alias Jidou ([S/2019/636](#), para. 78). Jidou was also from the Oualad Ich *fraction* and close to Badi Ould Oumar, supposedly his cousin.

#### *Lerneb, Timbuku region*

97. In its previous reports, the Panel referred to tensions in Lerneb, which led to an attack on MAA-Plateforme units on 25 July 2019, constituting a ceasefire violation ([S/2019/636](#), para. 72, and [S/2020/158/Rev.1](#), para. 9). Lerneb is an important entry point for trafficking between Mauritania and Mali ([S/2018/581](#), para. 123), with narcotics being hidden among regular merchandise goods, rather than moving in specialized convoys. The military positions that Tormouz militia, backed by MAA-CMA, attacked are controlled by Colonel Mahmoud Ould Jeyd, the

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<sup>120</sup> Meeting with MAA-Plateforme representative within Sector West of the joint observation and verification teams, Timbuktu, 3 February 2020.

<sup>121</sup> Abdoulaye Diarra, "Vives tensions au sein de la communauté arabe: la dissidence MAA proche du MNLA soutenue par un lobby de riches trafiquants de cocaïne et d'opérateurs économiques", *L'Independant*, 19 August 2014. Meeting with confidential source, Bamako, 4 February 2020.

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MAA-Plateforme base commander in Lerneb of the Oulad Ich *fraction*.<sup>122</sup> The attack had been carried out as a result of taxation of the local population and businesses (S/2020/158/Rev.1, para. 9),<sup>123</sup> but another factor that played into the confrontation was that Ould Jeyd used the checkpoint to claim high fees, particularly on some CMA-affiliated drug traders, who would have expected more favourable terms if the Tormouz were in control.<sup>124</sup>

98. Following a first mediation proposed by Houka Houka Ag Alhousseini (MLi.005) immediately after the clash, two additional attempts have been undertaken to solve the dispute over Lerneb, in Nouakchott on 20 October 2019, supported by the United Nations and the Government of Mali, and in Bou-Djébéha on 28 January 2020. All initiatives thus far have failed to reach a lasting solution, reportedly because of Ould Jeyd's strong opposition. On both occasions, prominent persons pushing for and involved in negotiations have an interest in trade and trafficking through Lerneb, leading to bias. The initiative in Mauritania, presided by the Minister of the Interior and Decentralization, was undertaken in the presence of Ahmed Ould Bah, known as Hmeida or Ahmeida, an adviser of the former President of Mauritania, Mohamed Ould Abdel Aziz.<sup>125</sup> Hmeida's interests are served by Ould Jeyd, who also enjoys political support from Mohamed Mahmoud Ould Sidi, Member of Parliament for Bassikounou,<sup>126</sup> and his brother, Hanena Ould Sidi, former Force Commander of the Joint Force of the Group of Five for the Sahel and current Minister of Defence of Mauritania.

99. The negotiation attempt in Bou-Djébéha was organized mainly by MAA-CMA. It was hosted by village chief Lahmein Ould Alhousseini, father of Abdelahi Ould Lahmein, and initiated by the newly-established council of Bérabiche *fractions* over which Oumar Ould Ahmed (Oulad Idriss *fraction*) was then presiding. It also involved the first Vice-President of the Taoudenni interim authority, Dina Ould Daya, who like Ould Lahmein and Oumar Ould Ahmed is reputed for his involvement in drug trafficking<sup>127</sup> via the CMA-MAA base of Ber.

100. The Bou-Djébéha mediation was led by Houka Houka Ag Alhousseini, who has been personally recommended as qadi by Alghabass Ag Intalla to Lahmein Ould Alhousseini. In his written decision dated 28 January 2020, Houka Houka suggested the replacement of Ould Jeyd as chief of the MAA-Plateforme base in Lerneb.<sup>128</sup> However, strong Mauritanian backing prevented his removal, despite the belief of the Tormouz that failure to implement the qadi's decision would lead to reprisals from Al-Qaida.<sup>129</sup> At the same time, some CMA-associated traffickers – notably Guigoz, Oumar Ould Ahmed and Nani Ould Alhousseini – have invested in Ould Jeyd to assure access. Moreover, they would not want to antagonize Mauritanian suppliers and authorities who work with and support Ould Jeyd, noting that Guigoz' shipments had been seized on multiple occasions in 2019 following the installation of a new Government in June of that year (S/2020/158/Rev.1, para. 81).<sup>130</sup>

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<sup>122</sup> Meetings with confidential sources, Bamako, 9 and 10 March 2020, and meeting with government officials in Timbuktu, 1 February 2020.

<sup>123</sup> As also included in an official complaint filed with MINUSMA on 10 February 2020 by the Mayor of Lerneb, Baba Ould Sidi Mohamed.

<sup>124</sup> Meeting with confidential source, Bamako, 5 February 2020.

<sup>125</sup> See agreement in annex X.

<sup>126</sup> Ould Jeyd is constructing a house in Bassikounou. Meeting with confidential source, Bamako, 10 March 2020.

<sup>127</sup> Wolfram Lacher, "Le mythe narcoterroriste au Sahel", document de référence de la WACD n°41, February 2012; and Member State information, 30 April 2020.

<sup>128</sup> Meetings with government officials in Timbuktu, 1–3 February 2020.

<sup>129</sup> Ibid.

<sup>130</sup> The Panel's midterm report (S/2020/158/Rev1) contains a processing error; in paragraph 81, it is stated that Guigoz carried out attacks on convoys, whereas in fact Guigoz' convoys were attacked.

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*Arikchache, Taoudenni region*

101. Another violent clash between narcotics traffickers reportedly happened on 1 February 2020 in Arikchache, 200 kilometres north-west of Timbuktu on the Mauritanian border.<sup>131</sup> Arikchache is a crossing point historically used for drug transports. Among the three victims killed was reportedly a brother of Ahmoudou Ag Asriw (MLi.001).

*Tamalât, Mali-Niger border*

102. On 9 June 2020, a hashish convoy belonging to businessmen of the Lemhar Arab community and escorted by GATIA elements was attacked at a meeting point on the border between Mali and the Niger north of Tamalât.<sup>132</sup> Drugs were supposed to be escorted further by elements under the order of Ghoumour Bidika (see para. 86 above) and Kalakoua Amoumen.<sup>133</sup> Assailants reportedly came from Tassara and Kidal, took possession of the drugs and continued to Tuduq inside the Niger, where reinforcements brought in by Bidika and Kalakoua counter-attacked. The death toll of attacks would have been as high as 20, leading to speculation that the convoy may have contained higher-value drugs.<sup>134</sup>

103. The convoy passed the border in the same area through which a drug convoy passed on 21 April 2019, as mentioned in the Panel's midterm (S/2020/158/Rev.1, para. 84). That convoy was stopped by MSA-D elements but continued.

## **B. Trafficking in persons and the smuggling of migrants**

104. The Panel provided an update on migrants flows in annex VII to its midterm report. In terms of updates on individuals involved in trafficking, the Panel learned that Baye Coulibaly (S/2018/581, para. 141, and S/2019/137, para. 69), who used to recruit migrants on behalf of GATIA, now recruits fighters for JNIM.<sup>135</sup> Numbers reached up to 30 per month before the gold boom (see paras. 120–126 below) and dwindled afterwards as young men were drawn to the gold mines.

105. In addition to commanding Ganda Koy militia who ransom travellers on a checkpoint on the road from Gao to Ansongo (S/2019/636, para. 123), Coulibaly maintains a criminal gang involved in robberies, murders, extortion and abductions. When Coulibaly was summoned to the police station to answer for a crime involving his men, he came with his weapon and threatened officers.<sup>136</sup> Baye Coulibaly is untouchable in Gao and able to stir havoc at any moment, which the new Police Commissioner in question had not realized.

106. Coulibaly's impunity also derives from the fact that he enjoys protection from local as well as high-level connections in the Malian security and defence forces. He is in business with certain police officers, bribing them to release arrested migrants whom he then exploits. Moreover, Coulibaly has two brothers in the Malian armed forces, with the grade of Lieutenant Colonel and Colonel, while his eldest brother,

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<sup>131</sup> Confidential note, 5 February 2020.

<sup>132</sup> Correspondence with drug enforcement authorities in the Niger, 15 June 2020.

<sup>133</sup> Like Bidika, Kalakoua is a former Tuareg rebel and one of the founders of the Mouvement des Nigériens pour la justice.

<sup>134</sup> See comments from International Crisis Group analyst for the Sahel, Mathieu Pellerin (@mathpellerin), 14 June 2020, available at <https://twitter.com/mathpellerin/status/1272067840703594496>.

<sup>135</sup> Confidential report, 17 June 2020.

<sup>136</sup> Meetings with government officials in Gao, 6–9 March 2020.

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Alkebir Coulibaly, is Police Commissioner in Koulikoro.<sup>137</sup> His connections within the Malian security service allowed him to pre-empt his arrest in February 2018, along with other human traffickers.

## C. Irregular cigarette trade and trafficking

### Update on American Legend

107. In its previous reports, the Panel had focused its investigations on the trafficking of cigarettes of the brand American Legend (S/2019/137, paras. 70–83). After the Panel revealed the destabilizing effect of illegal introduction of this brand of cigarettes in Mali via Burkina Faso and the Niger, its producer, Karelia Tobacco in Greece, halted its exports to Soburex in Ouagadougou. Consequently, stocks of American Legend held by Soburex in the border town of Markoye seem to have been largely emptied. Whereas in 2019, the Panel witnessed American Legend being transported between Ansongo and Gao and found cartons sold in Gao, in 2020 the brand was no longer available in Gao.

108. The Panel, however, did find packets of American Legend in Timbuktu, but they were hard to come by and had probably been diverted from exports to Mauritania. Considering its rarity – traffickers in Mali are usually paid in kind, because of which illicit brands flood the market – it does not seem that Timbuktu serves as a hub for onward trafficking to Algeria, as Gao did in the past.

### Other brands currently trafficked

109. Notwithstanding the exit of American Legend from the Sahel, the risk of illicit cigarette trade financing armed groups in Mali and the wider Sahel region has not gone away. The Panel obtained documentary evidence showing other brands – notably Yes, ORIS, Business Royals and Gold Seal – exported mainly from the United Arab Emirates entering via the port of Cotonou, Benin, and transiting through Burkina Faso and the Niger in contravention of relevant transit and re-export legislation and blatantly trafficked further down the chain.

110. While there have not been recent seizures of the above-mentioned brands of cigarettes in Mali, the brands ORIS, Business Royals and Gold Seal were reportedly trafficked through Mali in previous years.<sup>138</sup> In 2017, some cigarette exports from the United Arab Emirates to Togo, Benin and Ghana were destined for Algeria via Mali,<sup>139</sup> according to an international study, with the authors considering it plausible that the above-mentioned brands, apart from Yes, flow from Mali to Algeria.<sup>140</sup>

111. A series of inspections in Burkina Faso and Benin in 2019 showcase how two companies – SIRI Produits et Compagnie (SPC) in Burkina Faso and Petacynic in Burkina Faso and the Niger – control and coordinate the import of the four brands.

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<sup>137</sup> Member State information.

<sup>138</sup> Meeting with international tobacco trade expert, Bamako, 1 February 2020; see also presentation made during the Tobacco Institute of Southern Africa Anti-Illicit Trade Conference in Cape Town, South Africa, 11–13 November 2013, available at [www.tobaccosa.co.za/wp-content/uploads/Presentation-TISA\\_AIT\\_Conf\\_Day\\_2d-WAA.pdf](http://www.tobaccosa.co.za/wp-content/uploads/Presentation-TISA_AIT_Conf_Day_2d-WAA.pdf). Gold Seal was among the brands that Mokhtar Belmokhtar (QDi.136) trafficked through Mali a decade ago alongside American Legend and Marlboro. See Erik Alda, and Joseph Sala, “Links between terrorism, organized crime and crime: the case of the Sahel region”, *Stability: International Journal of Security and Development*, vol. 3, No. 1 (2014), pp. 1–9.

<sup>139</sup> See Alberto Aziani and Marco Dugato, *ITTP NEXUS in Europe and Beyond* (Milan, Transcrime and Università Cattolica del Sacro Cuore, 2019), p. 154.

<sup>140</sup> Email exchange with one of the authors of *ITTP NEXUS in Europe and Beyond* (see previous footnote), 27 May 2020.

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The representative of Petacynic Niger had previously introduced American Legend illegally in Mali (S/2019/137, para. 72) and currently offers ORIS to his client in Timbuktu. Acting as criminal network, those companies and associated individuals not only evade taxes but also knowingly import cigarettes that have a high probability of fuelling conflict in Mali and elsewhere in the region.

112. A series of inspections in Burkina Faso and Benin in 2019 show how companies move unlabelled or wrongly labelled cigarettes across the Sahel region, by declaring them to be in transit or to be re-exported, including to fictitious entities, with customs authorities in both countries turning a blind eye.

*April 2019 inspection of a truck in Burkina Faso*

113. On 16 April 2019, the regional directorate of commerce intercepted a truck transporting 1,840 boxes of cigarettes, mostly Gold Seal,<sup>141</sup> on its way from the border between Benin and Burkina Faso to Ouagadougou. The Gold Seal cigarettes carried the label “vente en Côte d’Ivoire”, but were destined for SPC in Burkina Faso.<sup>142</sup> Arriving in Burkina Faso, the consignee of the goods was changed on the transit declaration to a person in Côte d’Ivoire, but Burkina Faso was kept as the destination country. SPC is authorized in Burkina Faso to import and distribute the brand ORIS.<sup>143</sup> The brand Gold Seal is not authorized for import in Burkina Faso. No document could be shown justifying the supposed importer in Côte d’Ivoire being permitted to import cigarettes. Furthermore, goods were not under customs escort, as is required for cigarettes in transit.

114. The Ministry of Trade, Industry and Handicrafts established multiple infractions of relevant pieces of legislation, notably the 2017 decree on cigarette imports and transit that requires labelling, customs escort and authorizations to import.<sup>144</sup> Irregularities should have compelled customs authorities to turn back the truck if really in transit to Côte d’Ivoire, or to confiscate and destroy its content if intended for consumption in Burkina Faso. The latter seemed to be the case, considering the illogical routing – via Benin and Burkina Faso – of cigarettes if truly meant for consumption in Côte d’Ivoire. Although recognizing irregularities, Burkinabé customs authorities did neither and released the goods they accepted to be in transit. SPC refrained from answering the Panel’s questions about the company’s legal compliance.

*Further tracing of trucks in Burkina Faso in March and April 2019*

115. The above-mentioned case does not stand alone. The Panel obtained information about seven shipping containers entering Cotonou – four with Gold

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<sup>141</sup> 1,740 boxes of Gold Seal and 100 boxes containing seven other brands (Suyan, Furongwang, Chunghwa, Yuxi, Zen Long, Yellow Care and Hungelou), none of them authorized for distribution in Burkina Faso.

<sup>142</sup> Burkina Faso, Ministry of Trade, Industry and Handicrafts, internal note, no date.

<sup>143</sup> Order No. 2018-0055 of the Ministry of Trade, Industry and Handicrafts, General Secretariat, Directorate General for Economic Control and Fraud Suppression, establishing the sale prices of ORIS brand cigarettes.

<sup>144</sup> Order No. 2019-0049 of the Ministry of Trade, Industry and Handicrafts, General Secretariat, Directorate General for Economic Control and Fraud Suppression, granting authorization to operate a warehouse of tobacco monopoly products for 2019; Joint Order No. 2017-0281 of the Ministry of Trade, Industry and Handicrafts and the Ministry of Economic Affairs, Finance and Development, on the strengthening of control measures for cigarettes and other tobacco products imported into Burkina Faso or in transit through Burkina Faso to other countries; and Order No. 2015-0356 of the Ministry of Trade, Industry and Handicrafts and the Ministry of Economic Affairs and Finance, establishing a system, based on the Codentify system, for the authentication, monitoring, traceability and tax verification of tobacco products manufactured in or imported into Burkina Faso.

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Seal and three with Yes – being transferred and mixed in March and early April 2019 on 12 trucks in the Beninese border town of Porga and in Nadjagou on the Burkina Faso side.<sup>145</sup> Transit documents showed the same freight forwarder, Tonasse et Fils in Cotonou, Benin. Gold Seal was again destined for SPC in Burkina Faso, while Yes was destined for Petacynic, either in Burkina Faso or Niamey. Yes is a non-authorized brand in the Niger and is no longer authorized in Burkina Faso.<sup>146</sup> Petacynic Burkina Faso is authorized to import and distribute another brand, Platinum Seven. Petacynic Niger has not obtained authorization to import and distribute Yes.<sup>147</sup> Petacynic Burkina Faso refrained from answering the Panel's questions about the company's legal compliance.

116. Yes packets in one of the containers either showed no legal notices, or legal notices for Togo, again in contravention of the 2017 decree on cigarette transit and imports in Burkina Faso.<sup>148</sup> All trucks moved at night well after the curfew hours and none under customs escort. They either went in the direction of Ouagadougou or to Kompienga, to exit Burkina Faso and enter Togo. The latter would have been the case for four trucks containing Yes and two trucks containing both brands, as they were seen again in Sinkassé in the morning after they left Niadibou at night. Sinkassé is in the extreme north-west of Togo, at the borders with Burkina Faso and Ghana. From there, merchandise entered northern Ghana, to be unloaded in a warehouse in Widana and dispatched illegally by motorbike to locations in Ghana, Togo and Burkina Faso. It is unclear whether the six other trucks took the same itinerary or whether any moved straight to Ouagadougou, like the one intercepted on 16 April 2019.

#### *September and October 2019 inspections in the port of Cotonou*

117. Two inspections of containers in the port of Cotonou later in September and October 2019 further substantiate the movement of unlabelled or wrongly labelled cigarettes destined to the above-identified companies in Burkina Faso and the Niger. Apart from nine shipping containers of Yes to Petacynic in Burkina Faso and two containers of Gold Seal and one of ORIS to SPC in Burkina Faso, the customs unit for the control of containers at the port of Cotonou inspected four containers of Business Royals.<sup>149</sup> For the latter, it was unclear whether they were destined for Petacynic in Burkina Faso or the Niger.<sup>150</sup> For all 11 containers, the same freight forwarder was used, whose representative declared that goods would be re-exported to countries in the subregion. According to an interministerial decree from 2016 on cigarette transits,<sup>151</sup> Benin authorities should have turned back the shipments found to not contain the necessary legal notices. However, as in Burkina Faso, Benin authorities also eventually released the shipments.

118. The Panel has been made aware of another 10 shipping containers entering Cotonou in November and December 2019 and destined for Petacynic in Niamey, containing unlabelled or wrongly labelled Business Royals and ORIS or Gold Seal

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<sup>145</sup> Confidential reports.

<sup>146</sup> The company Aventus Burkina held the authorization before, but the brand was not confirmed in a note dated 25 January 2019 by the Directorate General for Economic Control and Fraud Suppression, with reference DGCRF/019-0005/MCIA/SG/DGRF, which fixes the list of tobacco products in line with Burkinabé rules.

<sup>147</sup> Meeting with Petacynic representative in Niamey, 9 December 2019.

<sup>148</sup> See photographs in annex XI.

<sup>149</sup> See samples of bills of lading and transit documents in annex XII.

<sup>150</sup> The bills of lading gave Petacynic Niger as consignee, but Petacynic Burkina Faso was declared as recipient on the Benin transit document, with Burkina Faso as the destination country (see annex XII).

<sup>151</sup> Benin, interministerial decree No. 016/MISPC/MEFPD/MS/MIC/DC/SGM/DG-CILAS/SA, 4 February 2016.



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cigarettes,<sup>152</sup> with the risk of entering illicit circulation in the subregion. The representative of Petacynic, who had previously been involved in inserting American Legend illegally in Mali, denied importing any of the shipments. Also, the Niger customs authorities did not record the shipments having entered the territory.<sup>153</sup> In Niamey, the Panel retrieved ORIS packets with legal notices for Côte d'Ivoire and with a general health warning in Arabic, but not specific to any country. It is likely that cigarettes destined to Petacynic Niger are dispatched from northern Ghana or Burkina Faso, using smaller means of transport, and then smuggled into the Niger. In addition, by putting Niger as destination, Petacynic tries to get around increased vigilance by Benin customs authorities regarding cigarettes destined to Burkina Faso, as per circular note of 25 October 2019.<sup>154</sup>

#### *Loss of State revenues*

119. The 28 shipping containers brought to the attention of the Panel for the year 2019 represent a small fragment, just over 10 per cent, of the overall number of 245 containers of cigarettes introduced via Cotonou, Lomé and Tema, and estimated to enter into illicit circulation in the wider Sahel region in 2018.<sup>155</sup> In 2018, the fraudulent cigarette trade entering those ports represented a turnover of 63 billion CFA francs (\$107 million) and a loss of revenue of 23 billion CFA francs (\$39 million) to Governments in the region.<sup>156</sup> The adoption of stringent regulations on the cigarette trade in all implicated countries (apart from Ghana) in 2016 and 2017 should have helped to repress fraudulent trade, but Governments, particularly in Benin and Burkina Faso, despite some authorities' efforts to inspect goods and detect irregularities, have failed to apply their respective regulations, putting no real pressure on importers to distribute cigarettes legally and pay taxes due. Besides the aforementioned inspections, open source data make reference to some seizures and the destruction of cigarettes, but these are incidental and small in volume.<sup>157</sup> As a result of weak enforcement, the volume of fraudulent cigarette trade having entered via the aforementioned ports was estimated to have increased by more than 40 per cent in 2019.<sup>158</sup>

### **D. Artisanal gold**

120. Informal artisanal gold production, which has been emerging first in Kidal region in 2018 and now in the Gourma area, is not a criminal activity. However, there is a risk that crimes are committed in the pursuit of wealth and criminal networks involving armed group members engage in the sector, which can have a negative impact on the implementation of the Agreement.

#### **Kidal region**

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<sup>152</sup> Data for six shipping containers did not specify the brand but, they were exported by Oriental General Trading in Jabel Ali, United Arab Emirates, which commercializes both brands, supplying SPC in Burkina Faso with both brands.

<sup>153</sup> Correspondence with the Niger customs authorities, 24 December 2019.

<sup>154</sup> Circular note No.4268/DGDDI/DLRI of the Directorate General of Customs

<sup>155</sup> Confidential report, June 2019.

<sup>156</sup> Ibid.

<sup>157</sup> In Burkina Faso, 4,736 cartons of unknown brands were destroyed on 31 July 2019 (see Koaci, "Burkina Faso: des cigarettes d'une valeur de plus de 28 millions incinérées", 1 August 2019); and 75,750 packets, including of Gold Seal and ORIS, on 6 December 2019 (see Adaman Drabo, "Lutte contre la contrebande: 75,750 paquets de cigarettes détruits", Agence Information de Burkina, 17 December 2019).

<sup>158</sup> Confidential report, June 2019.

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221. Artisanal gold exploitation, which took off around Kidal in 2018, has spread north towards Tessalit, the mines of In Darset and Egharghar being the centre of gravity of exploitation today, attracting thousands of workers. In absence of the State, CMA governs gold mining around Kidal, with a prominent role played by Attayoub Ag Intalla, the President of civil society in Kidal. CMA imposes regulations on the use of chemicals and took a recent decision to delocalize processing plants from the town so as to reduce environmental damage.<sup>159</sup> While CMA does not levy direct taxes on gold, it does tax general commerce mining activity in Kidal town and nearby sites in Kidal *cercle*, which finance its security operations in general, and Operation “Acharouchou” in particular, as previously reported by the Panel (S/2019/636, paras. 86–87).

222. However, CMA security governance does not extend to mining areas further afield, such as those towards Tessalit, which, according to local authorities, are under the influence of JNIM.<sup>160</sup> Nevertheless, CMA controls processing sites in Tessalit town. This mutually beneficial coexistence has prevented major conflict from erupting over gold mine sites and processing areas.

### **Gourma**

223. Since March 2020, artisanal gold mining has also taken off in the Gourma area, which straddles Timbuktu and Gao regions south of the Niger river. The first sites were reported around Intahaka and Doro, halfway on the road between Gao and Gossi, and around Marsi, 20 kilometres east of I-n-Tillit. More recently, sites have emerged across Gourma-Rharous *cercle* (Timbuktu region), as well as in Ansongo and Bourem *cercles* (Gao region). Mining activity has attracted foreigners, including from the Sudan, Nigeria, Chad, Algeria and even Pakistan, and unidentified armed elements, creating serious security concerns, particularly in the town of Gao. Mining in the Gourma area is at a similar scale to Kidal, attracting thousands of workers.<sup>161</sup>

224. Doro is one of the last strongholds of GATIA in the Gourma area (S/2019/636, para. 104). While a representative claims the GATIA controls mining sites, reports suggest the growing influence of JNIM elements based in the vicinity, under the former MUJAO officer, Amadou Moussa. Moussa takes a central position in JNIM combat against Islamic State in the Greater Sahara in the Gourma area, including in a southern direction towards I-n-Tillit and Marsi. This may be partly economically motivated, as Islamic State in the Greater Sahara also held interest in the mining sites there. Marsi has a CMA base, whose elements have been alleged to tax mining activities. CMA claims the taxation is being conducted by uncontrolled rogue elements.<sup>162</sup> A signatory armed group representative confirmed coexistence in taxation between terrorists and signatory armed groups, namely CMA, in Marsi.<sup>163</sup> Intahaka has a Malian armed forces post, but it has not undertaken any effort to secure the mine sites. GATIA and CMA provide protection, for which they levy fees. In Timbuktu region, CMA and Plateforme established a joint commission in June 2020 to secure and supervise mining activities in Gourma-Rharous in a context of terrorist threat.<sup>164</sup>

### **Production, trade and evacuation routes**

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<sup>159</sup> See relocation decision in annex XIII.

<sup>160</sup> Confidential report, 7 May 2020.

<sup>161</sup> In June 2020, a gold mine was observed in the Intahaka and I-n-Bigtane area, accommodating up to 4,000 people. Confidential report, 25 June 2020.

<sup>162</sup> Confidential report, 28 June 2020.

<sup>163</sup> Correspondence with confidential sources, 10 April 2020.

<sup>164</sup> See images of joint security commission outfit and security payment receipts in annex XIV.

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125. Figures for artisanal gold production in Mali are inaccurate – anywhere between 5 and 20 tons per year are produced by some 200,000 workers – and even more so for newly discovered sites in Kidal, let alone the Gourma area. Considering the influx of people, production in the north could be several tons per year already, according to gold trade specialists.

126. The orientation of trade is varied. Owing to deplorable roads connecting mining areas in the north with Bamako, traders also bring production to the Niger, Burkina Faso and Algeria, or use available air services. MINUSMA is aware of the risk of its air assets in Kidal facilitating the movement of gold to Bamako and has put in place a formal interdiction with subsequent controls.<sup>165</sup> The Panel spoke with several trade insiders, who affirmed having either used themselves or knowing of non-United Nations individuals who had used MINUSMA flights to transport gold to Bamako.

## **E. Asset freeze and travel ban implementation**

127. In its midterm report, the Panel discussed national legal provisions for the implementation of the asset freeze (S/2020/158/Rev.1, para. 45). Pending incorporation of the provisions of the sanctions regime established pursuant to Security Council resolution 2374 (2017) in domestic law in Mali, the Panel informed banks in Mali of sanctions designations and enquired about possible accounts held by listed individuals. No replies have yet been forthcoming.

128. Since the publication of its midterm report, the Panel has been made aware of one travel ban violation by Mohamed Ben Ahmed Mahri, alias Rouggy, whose representative told the Panel he had travelled to Nouackchott and back on the weekend of 14 and 15 March 2020. The representative told the Panel that Rouggy wanted to be transparent about his international travels. Mauritania did not reply to the Panel's request to verify this travel.

## **V. Violations of international humanitarian and human rights law**

### **A. Obstructions to the delivery of humanitarian assistance to Mali**

129. For the period under review, access to humanitarian aid remains dire, as attacks on aid and aid workers continue with impunity. Many parties to the conflict have committed violations of international law, be it the armed groups, the militia, the terrorists, the jihadists or the national armed forces.

130. National and international humanitarian aid providers are subject to numerous attacks. Aid workers are abducted and aid is looted by armed groups and other unidentified individuals. The vehicles carrying aid supplies are stolen, as well as the materials and other property belonging to the humanitarian aid agencies.<sup>166</sup>

131. As at 18 June 2020, non-governmental organizations (NGOs) operating in Mali have been subject to 106 incidents: 10 in Bamako and Koulikoro (south), 41 in Ségou and Mopti (centre) 55 in Timbuktu, Gao, Ménaka and Kidal (north). Historically, Ménaka is the most affected region, where, since 2015, around 133 incidents were reported, compared to 100 incidents in Kidal region and 81 incidents

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<sup>165</sup> Confidential note, 12 June 2020.

<sup>166</sup> Meeting with confidential source in Bamako, 13 November 2019.

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in Bamako.<sup>167</sup> On 24 December 2019, NGOs in Ménaka indefinitely suspended the provision of aid in Ménaka until security improved.<sup>168</sup> Their activities resumed in March 2020 following the decrease in criminality during the months of January and February 2020.

132. Concerning the follow-up of the impact of sanctions based on humanitarian criteria, Ahmed Ag Albachar (MLi.004) told the Panel that he had not been active in the humanitarian domain for two years,<sup>169</sup> refuting the grounds for his designation. Since the dismantlement of the Regional Office for the Administration and Management of Kidal in April 2019 and Albachar's designation in July 2019, CMA has imposed itself less on the NGO community in Kidal, improving the overall humanitarian access.<sup>170</sup>

133. Further illustrative incidents of obstruction of humanitarian assistance are described in annex XV.

## **B. Violations of international human rights law and international humanitarian law**

134. Human rights violations, such as killings, extrajudicial killings, forced disappearances, abductions, arbitrary arrests and detentions, are recurrent. Gender-based violence and conflict-related sexual violence are being committed by armed groups, terrorists and members of the communities, as well as national forces (see paras. 139–145 below).<sup>171</sup> Under international humanitarian law, parties to conflicts must make a distinction between combatants and civilians and livelihoods necessary to the survival of the populations. Thus, pillaging livelihoods is a breach of international humanitarian law and international human rights law.

135. Attacks on livelihoods are used as a weapon of war and consist of the stealing and destruction of property and the burning down of dwellings, harvests and stored livelihoods by armed groups, terrorists, jihadists and militia. Taking advantage of the intercommunal conflicts, attacks by jihadists and terrorists on livelihoods aim at creating food shortages and weakening the food security system, with the goal of subduing the population and securing resources to finance criminal activities. Furthermore, attacks lead to the abandonment of the fields and displacements that weigh on host communities and the displaced themselves.

136. The Panel did not get the opportunity to investigate the grave violations of children's rights. However, numerous reports state that children continue to be affected by the conflict through the violation of their rights, as some parties continue to recruit and use children as combatants (see [A/74/845-S/2020/525](#)).

137. The closure of schools has made children more vulnerable and likely to be subject to recruitment and/or use as child soldiers. At the time of writing the present report, it is believed that 129 children are among the armed groups. Those children are victims of 745 violations of their rights.<sup>172</sup>

138. Migrants transiting through Malian territory are also subject to violations of their rights; they are subject to extortion and physical and mental abuses, including by traffickers associated with signatory armed groups, as the Panel described in

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<sup>167</sup> Confidential communication received on 24 June 2020.

<sup>168</sup> Communiqué of the International Forum of NGOs in Mali, 24 December 2019.

<sup>169</sup> Multiple correspondences with Ag Albachar and his representative from November 2019 to June 2020.

<sup>170</sup> Confidential meeting in Gao, 11 March 2020.

<sup>171</sup> Confidential communication received on 17 February 2020.

<sup>172</sup> See <https://childrenandarmedconflict.un.org/where-we-work/mali/>.

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detail in its previous reports (S/2018/581, paras. 138–143, and S/2019/636, paras. 123–124).

#### *Gender-based and sexual violence*

139. Sexual violence is at a high level in Mali. Between 2012 and 2019, 20,311 cases of gender-based violence were reported in Mali. Of the victims, 98 per cent were female, among whom 36 per cent were under 18 years old.<sup>173</sup> The number of cases of gender-based violence keeps growing owing to the conflict situation and the context of general insecurity that breeds human rights violations, with the weakness of the justice system and the rule of law. Impunity that prevails fuels gender-based violence and sexual violence.

140. From January to November 2019, 4,157 cases of gender-based violence were reported in Mali: 97 per cent of the survivors were female, among whom 50 per cent were under 18 years old; 3 per cent were male, and 2 per cent were boys under 18 years old. Data collected shows that 47 per cent of the cases reported were cases of sexual violence: 21 per cent of those cases were rape with penetration, 23 per cent were physical aggressions, 14 per cent were denial of resources, 9 per cent were psychological violence and 7 per cent were early marriages.<sup>174</sup>

141. Between January and October 2019, 1,708 cases of sexual violence have been reported in the north and centre of Mali, and 734 cases, or 43 per cent, have been perpetrated by armed actors. National defence and security actors make up 8 per cent of cases of sexual violence, while 36 per cent of cases have been committed by armed groups. Owing to the general environment of insecurity and context of impunity owing to weak security institutions, some cases of rape and sexual violence have been perpetrated by members of the communities as well.<sup>175</sup>

142. Fearing for their security and stigmatization, kidnapped women who have been victims of rape and sexual violence, upon their release, do not report it. The same stigmatization and culture are also some of the causes for which instances of rape and sexual violence are still underreported. Furthermore, in some regions, gender-based violence and reproductive rights activities are prohibited by islamic armed groups. Thus, the cases of gender-based violence are not properly reported.

143. An NGO working on gender-based and sexual violence has for the year 2018 registered seven cases of rape with penetration. For the year 2019, eight cases of rape were reported. Other violence, such as physical aggression, forced marriage, and psychological and emotional violence, are also committed against women.<sup>176</sup>

144. Cases of sexual violence and rape have been reported from the “closed houses” (*maisons closes*) in Gao, which are prostitution motels.<sup>177</sup> Migrant women are particularly vulnerable to being exploited as prostitutes.

145. Further details on incidents of gender-based and sexual violence are contained in annex XVI.

#### *Intercommunal violence*

146. Intercommunal violence is recurrent in central Mali. Between 1 January and 21 June 2020, the Human Rights and Protection Division of MINUSMA reported 83 clashes between the Fulani and Dogon communities in Mopti region, resulting in

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<sup>173</sup> Confidential report, 23 April 2020.

<sup>174</sup> Ibid.

<sup>175</sup> Ibid.

<sup>176</sup> Meeting with confidential source, Bamako, 6 March 2020.

<sup>177</sup> Confidential report, 17 February 2020.

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292 deaths.<sup>178</sup> The intercommunity clashes have become a breeding ground for manipulation and use by armed groups to install and reinforce their groups. From January to June 2020, the armed groups were the perpetrators of 105 cases of human rights violations, with 67 killings in Mopti region alone.<sup>179</sup>

147. For example, on 5 May 2020, it was reported that a group of dozos attacked the Fulani village of Djongue Ouro around Djenné town, killing many of them.<sup>180</sup> The attack seems to be in retaliation for the attack conducted by the Fulani against the dozo village of Djongué Saré, Mopti region, on 2 May 2020.

### **C. Situation of internally displaced persons and refugees**

148. Fights among armed groups, terrorists and other militia and their constant raids on villages have led to the destruction of villages and huge population displacements. The overall insecurity has led to massive displacements of the populations, with women and children making up the largest number of displaced. As at 30 March 2020, Mali has around 250,000 internally displaced persons,<sup>181</sup> up from nearly 200,000 as at 31 October 2019.<sup>182</sup>

149. As at 31 March 2020, there were 138,537 Malian refugees in neighbouring Burkina Faso, the Niger and Mauritania.<sup>183</sup> In some areas, aid destined for the vulnerable populations is being looted, property belonging to humanitarian organizations is being stolen by armed groups and bandits and there are recurrent intercommunity clashes weakening the general security situation and undermining the efforts and support for the protection of civilians. Finally, the exactions committed by the national security and defence forces have undermined the trust of the populations towards them.

### **D. Attacks on national and international forces**

150. The Malian armed forces, international forces present in Mali and MINUSMA forces have been subject to attacks. Attacks on civilians, international forces and national forces constitute a breach of international law. In Mali, around 130 soldiers have died since the Mission was established.

151. While some improvised explosive devices were the result of armed conflicts, others were allegedly set up by armed groups in order to harm, which constitutes a violation of international law. Improvised explosive devices have been deadly to forces and civilians in Mali. From 2013 to 2020, there has been a total of 959 incidents related to improvised explosive devices.<sup>184</sup> In 2020, there have been a total of 82 such incidents, with 52 explosions and 30 found and cleared. As at 31 May 2020, Mopti has had 40 incidents, compared with 113 in 2019. From 2013 to 2020, there have been 1,692 victims of improvised explosive devices in Mali, 32 per cent of them civilians. The remaining victims are national and international military forces. MINUSMA peacekeepers account for 22 per cent of the victims.<sup>185</sup>

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<sup>178</sup> MINUSMA, “Note sur les tendances des violations et abus de droits de l’homme” (see footnote 6).

<sup>179</sup> Ibid.

<sup>180</sup> Confidential report, 7 May 2020.

<sup>181</sup> IOM, “Mali: rapport sur les mouvements de populations”, March 2020.

<sup>182</sup> United Nations, Office for the Coordination of Humanitarian Affairs, “Mali: rapport de situation”, 17 June 2020.

<sup>183</sup> UNHCR, “Mali situation”, Coordination Platform for Forced Displacements in Sahel database, available at <https://data2.unhcr.org/en/situations/malisituation>

<sup>184</sup> Confidential official communication, 29 June 2020.

<sup>185</sup> Ibid.

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152. A list of selected incidents and attacks, including attacks with improvised explosive devices, is contained in annex XVII.

## VI. Recommendations

153. The Panel recommends that the Security Council Committee established pursuant to resolution [2374 \(2017\)](#) concerning Mali:

(a) Urge the Government of Mali, in accordance with its obligations under international law and as a State Member of the United Nations, to incorporate in domestic law the provisions of the sanctions regime established pursuant to Security Council resolution [2374 \(2017\)](#);

(b) Also urge the Government of Mali to implement the asset freeze on listed individuals, as set out in paragraphs 4 to 7 of resolution [2374 \(2017\)](#), and report to the Committee and the Panel of Experts on the actions taken;

(c) Further urge the Government of Mali to conduct an independent and impartial audit on the funds disbursed within the framework of the development pillar of the Agreement on Peace and Reconciliation in Mali, including those earmarked for the sustainable development fund;

(d) Call upon the Agreement Monitoring Committee to consider sidelining its members that have been designated by the Security Council Committee established pursuant to resolution [2374 \(2017\)](#) concerning Mali, until their delisting;

(e) Urge all Member States in the region, including all Member States in West and North Africa, to report regularly to the Committee on the actions they have taken to implement the measures imposed in paragraphs 1 and 4 of resolution [2374 \(2017\)](#), in accordance with paragraph 17 of that resolution, recalling that the Council considers in paragraph 3 of that resolution that violations of the travel ban can undermine the peace, stability or security of Mali;

(f) Welcome the offer by the Government of Algeria to facilitate an official visit by the Panel, hopefully as soon as health conditions permit;

(g) Encourage the Government of Morocco to exchange information with the Government of the Niger and with the Panel to facilitate eventual additional legal pursuit and/or sanctions designations related to narcotics trafficking by or at the benefit of sanctioned individuals Mohamed Ben Ahmed Mahri (MLi.007) and Mohamed Ould Mataly (MLi.008);

(h) Encourage MINUSMA to exchange in a timely manner with the Panel:

(i) Detailed information on the implementation of paragraph 28 (a) (iii) of Security Council resolution [2531 \(2020\)](#) related to the monitoring of ceasefire violations and control measures on the movement and armament of signatory armed groups, including in designated weapon-free areas;

(ii) Reports that may assist the Panel in the identification of parties responsible for potential lack of implementation of the priority measures referenced in paragraph 3 of resolution [2531 \(2020\)](#), in accordance with paragraph 5 of that resolution;

(iii) Information on the activities, actions and policies of individuals listed by the Committee.

154. The Panel also recommends that the Security Council include in its next resolution concerning Mali the following language:

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(a) Extend the designation criteria set out in paragraph 8 (c) of resolution [2374 \(2017\)](#) to proceeds from the illegal exploitation and trafficking of natural resources, including gold and manganese;

(b) Request MINUSMA to ensure the safety, security and freedom of movement of the members of the Panel of Experts when in Mali.