

Assembly  
Item 2

A/127/2-P.3  
16 October 2012

## CONSIDERATION OF POSSIBLE REQUESTS FOR THE INCLUSION OF AN EMERGENCY ITEM IN THE ASSEMBLY AGENDA

### **Request for the inclusion of an emergency item in the agenda of the 127<sup>th</sup> Assembly of the Inter-Parliamentary Union submitted by the delegation of Mali**

On 2 October 2012, the Secretary General received from the delegation of Mali a request for the inclusion in the agenda of the 127<sup>th</sup> Assembly of an emergency item entitled:

"The situation regarding institutions and security in Mali".

Delegates to the 127<sup>th</sup> Assembly will find attached the text of the communication submitting the request (Annex I), as well as an explanatory memorandum (Annex II) and a draft resolution (Annex III).

The 127<sup>th</sup> Assembly will be required to take a decision on the request of the delegation of Mali on Monday, 22 October 2012.

Under the terms of Assembly Rule 11.1, any Member of the IPU may request the inclusion of an emergency item in the Assembly agenda. Such a request must be accompanied by a brief explanatory memorandum and a draft resolution which clearly define the scope of the subject covered by the request. The Secretariat shall communicate the request and any such documents immediately to all Members.

Furthermore, Assembly Rule 11.2 stipulates that:

- (a) A request for the inclusion of an emergency item must relate to a major event of international concern on which it appears necessary for the IPU to express its opinion. Such a request must receive a two-thirds majority of the votes cast in order to be accepted;
- (b) The Assembly may place only one emergency item on its agenda. Should several requests obtain the requisite majority, the one having received the largest number of positive votes shall be accepted;
- (c) The authors of two or more requests for the inclusion of an emergency item may combine their proposals to present a joint one, provided that each of the original proposals relates to the same subject;
- (d) The subject of a proposal that has been withdrawn by its authors or rejected by the Assembly cannot be included in the draft resolution submitted on the emergency item, unless it is clearly referred to in the request and title of the subject adopted by the Assembly.

**COMMUNICATION ADDRESSED TO THE SECRETARY GENERAL BY  
THE SECRETARY GENERAL OF THE NATIONAL ASSEMBLY OF MALI**

2 October 2012

Dear Mr. Secretary General,

I am honoured to inform you that the delegation of Malian parliamentarians to the IPU Assembly in Quebec, which will be held from 21 to 26 October 2012, would like to propose the inclusion of the following emergency item in the agenda of that Assembly:

"The situation regarding institutions and security in Mali".

The debate should result in a resolution on Mali.

Please accept, Mr. Secretary General, the assurance of my highest consideration and the thanks of the entire Bureau of the National Assembly

Yours sincerely,

(signed)

Mohamed TRAORE  
Secretary General of the  
National Assembly of Mali

## THE SITUATION REGARDING INSTITUTIONS AND SECURITY IN MALI

### *Explanatory memorandum submitted by the delegation of Mali*

Since 17 January 2012, the Republic of Mali has been faced with a crisis in the north of the territory, where an armed group called the National Movement for the Liberation of Azawad (MNLA) has carried out fatal attacks against the national army and civilians, including women and children, in spite of the plea made by the National Assembly in November 2011 to avoid the negative consequences of past rebellions.

Since July 2011, the National Assembly of Mali has brought to the attention of the international community the consequences and collateral damage of the military intervention in Libya on Mali.

Some weeks later, other armed groups appeared on the scene with Islamist and jihadist demands; these groups are Ansar-eddine and AQMI, the Movement for the Unity of Jihad in West Africa (MUJAO) and the Boko Haram movement, all of which are present in northern Mali and have links to Al-Qaida.

These armed groups have perpetrated violent attacks, abductions, assassinations and attacks on people's property, including tourists and foreign workers. The Malian army has not been able to contain these attacks.

In addition to the barbaric practices they impose on a population that has been used to a tolerant form of Islam for centuries, arms trafficking, drug trafficking and hostage-taking are but some of the activities of these terrorist groups that occupy an infertile tract of land in the north of Mali covering 822,000 km<sup>2</sup>.

It was in this context that the coup d'état of 22 March 2012 came about, jeopardizing the democratic gains made over more than 20 years, barely two months away from the end of the term of office of the democratically elected President, who was not going to run for another term.

Since that date, and in about 10 days, the coalition of these armed groups had invaded two thirds of Malian territory, occupying the regions of Kidal Gao and Timbuktu and in September, the Douentza Circle in Mopti. Following that occupation, there has been an absence of administration in those areas that are in the hands of terrorist groups. Such occupation has imperilled the fundamental freedoms of citizens who are subjected to sharia law, the law of Islamist extremists in a secular country. Therefore, the citizens in northern Mali are subjected to the yoke of terrorist groups that plunder, attack, rape and cut off the hands and feet of innocent persons in violation of all rules and law. These armed groups violate the conscience and faith of people through indescribable acts of vandalism by pillaging the mausoleums of saints in all the occupied regions because they are considered as world heritage sites.

At the same time, the safety of persons and property is completely compromised in the south, in Bamako and in the interior of the country, where, after the coup d'état, insecurity has become the order of the day for Malian men and women, particularly for democrats.

Indeed, since the coup d'état, pillages have been orchestrated to take control of public and private property and attacks have been perpetrated against democrats who have condemned the coup. Arbitrary arrests, acts of humiliation and threats are the heavy burden that high-profile civilians and military officials have to bear.

The culmination of these anti-democratic acts of insecurity occurred on 21 May 2012, when some protesters planned and carried out an exceptionally violent attack on the personification of the highest State institution, the President of the Republic, Mr. Dioncounda Traoré.

This double security crisis in the north and institutional instability in the south has caused a shock wave which, in the space of a few weeks, permeated all sectors of society by triggering mass displacements of persons within and outside the country.

Admittedly, the instability created by the coup d'état was conducive to a speedy conquest of northern Mali by independence-seeking Islamist armed groups, and threw the army into disarray.

In this context, the Malian army needs the support of the international community through ECOWAS in order to regain the national territory.

The international community must be saluted for promptly condemning the coup d'état and the declaration of independence of Azawad.

The National Assembly of Mali, following in the footsteps of the international community, has adopted very strong resolutions condemning the partitioning of the country, the coup d'état and the declaration of independence.

Today, all Malians are requesting the international community, and in particular the IPU, to support it through a resolution calling for a military intervention in order to get rid of these armed groups. Through their heinous terrorist acts, these groups are undermining the very foundations of the secular Republic and its territorial integrity with their collateral damage and suffering, mainly felt by the most vulnerable sectors of society – women and children. These sectors are, in fact, living in deplorable and unacceptable conditions.

We reiterate that it is crucial to regain the occupied two thirds of the country, especially since elections are due with the participation of all Malians, including those displaced within the country and refugees outside it, in order to establish a democratic regime based on national sovereignty.

Malian parliamentarians are hopeful that a resolution calling for a military intervention in Mali will be adopted. It should be conveyed to the United Nations so that the Security Council may agree to support Mali in its bid to rid the country of these terrorists.

## THE SITUATION REGARDING INSTITUTIONS AND SECURITY IN MALI

### ***Draft resolution submitted by the delegation of MALI***

The 127<sup>th</sup> Assembly of the Inter-Parliamentary Union,

- *Considering* the report of the crisis unit set up by the National Assembly on northern Mali of 22 November 2011,
- *Considering* the resolution adopted by the National Assembly of Mali on 8 January 2012 condemning hold-ups and the abduction of foreigners in deteriorating security conditions,
- *Considering* the statement issued by the National Assembly of Mali on 17 February 2012 condemning the atrocities carried out in Aguel Hoc by the National Movement for the Liberation of Azawad (MNLA),
- *Considering* the declarations made by the National Assembly of Mali on 24 and 27 March 2012 strongly condemning the military coup d'état of 22 March 2012;
- *Considering* the resolution adopted by the National Assembly of Mali on 2 April 2012 on the situation in the country, in which it called for the sacred unity of all Malians following the coup d'état and occupation of two thirds of the country by armed terrorist groups for the liberation of the national territory,
- *Considering* the statement made by the National Assembly of Mali on 6 April 2012 proposing different ways of reflecting on a solution to the crisis,
- *Considering* the resolution adopted by the National Assembly of Mali on 19 April 2012 condemning the arbitrary arrest of high-profile civilians and military officials as well as the unilateral proclamation by the MNLA of the establishment of the State of Azawad on a portion of Malian territory,
- *Considering* the statement issued by the National Assembly of Mali on 22 May 2012 condemning the cowardly act of aggression perpetrated against the President of the Republic, Mr. Dioncounda Traoré,
- *Considering* the declaration made by the National Assembly of Mali on 2 July 2012 calling on the government to do everything possible in collaboration with the international community to restore the integrity of the Malian territory,
- *Considering* the statements issued by the UN Security Council on Mali on 22 and 26 March and 4 and 9 April 2012 on the Sahel region,
- *Considering* the conclusions of the ECOWAS mediation for all stakeholders in the Malian crisis and the lifeblood of Mali in Ouagadougou issued on 14 and 15 April and those of the mini summit of 7 July 2012,

- Considering UN Security Council resolution 2056 on the situation in Mali of 5 July 2012,
- Considering the final communiqué of the African Union Peace and Security Council on the situation in Mali dated 14 July 2012,
- Considering the relevant provisions of the Charter of the United Nations on ways of preventing, dealing with and settling conflicts and maintaining peace and security,
- Considering the framework agreement signed on 6 April 2012 by the military junta and ECOWAS,
- Considering the call made by various UN agencies – UNICEF, UNHCR and WHO – on 10 April 2012 for additional funds to be provided to thousands of persons affected by food insecurity in the Sahel region,
- Considering the appeal made by UNICEF for US\$ 26 million to meet the health and nutrition needs of children in Mali by the end of the year,
- Considering the appeal made on 23 February 2012 by UNHCR for US\$ 35.6 million to deal with the worsening humanitarian situation in Mali,
- Considering Article 11 of the IPU Statutes,

(1) Mindful of the putsch of 22 March 2012 that brought an end to the democratic process initiated by the Malian people over two decades ago,

(2) Mindful of the fact that, in accordance with the Constitution of 25 February 1992, the Speaker of the National Assembly had been sworn in as President of the Republic on 18 April 2012,

(3) Mindful of the wave of extrajudicial arrests targeting political leaders, including two presidential candidates and high-ranking military officials detained in military camps,

(4) Mindful of the fact that the touareg rebels, who belong mainly to the MNLA, took control of the north of Mali following the military coup of 22 March 2012 with the help of Salafist groups with links to Al-Qaida (Aqmi, Ansar-eddine, Mujao, Boko Haram, etc.),

(5) Mindful that these Islamists who occupy the north of Mali are imposing sharia law on the people in barbaric and inhumane conditions,

(6) Mindful of the established links between the Islamist groups in the Sahel-Saharan region with drug traffickers, arms dealers, cigarette traffickers and hostage takers,

(7) Mindful that the proliferation of weapons, the trafficking of drugs and cigarettes and the high level of unemployment and poverty contribute significantly to destabilizing the region as a whole,

(8) *Mindful* that the sheer size of the northern regions of Mali and the magnitude of their porous borders require coordination at the subregional level of intelligence-gathering and action,

(9) *Mindful* of the fact that the fight against terrorism in the Sahel in general and in Mali in particular must go hand in hand with an active policy aimed at overcoming underdevelopment and poverty, strengthening the rule of law, good governance and integration,

(10) *Mindful* that the Special Representative of the UN Secretary-General for Children and Armed Conflict expressed her deep concern over information on the recruitment of child soldiers in the occupied regions,

(11) *Mindful* of the grave human rights violations of which the people in the north of Mali are victims at the hands of Islamist extremists, and who are helplessly subjected everyday to the supposed application of sharia law through summary and expeditious justice,

(12) *Mindful* of the fact that populations displaced within the country and those who have sought refuge outside it live in conditions of abject poverty, their basic needs are not met and the vast majority belong to vulnerable sectors of women, children and the elderly,

(13) *Mindful* that, owing to the looting of their facilities and stocks, the majority of humanitarian organizations have left the northern regions, thereby depriving those populations of their assistance,

1. *Condemns:*

- the suspension of the democratic process in Mali through a military coup d'état;
- the proclamation by the MNLA of the establishment of the State of Azawad on a portion of the territory of the Republic of Mali, in discord with virtually the entire population of Mali;
- the acts of violence perpetrated by armed groups against the population;
- the atrocities committed at Aguel Hoc, Téssalit, Gao and Timbuktu, which must be considered as war crimes;
- the terrorist acts committed against the civilian population, the rape of women, amputations of arms and legs, daily beatings and other degrading treatment as part of expeditious justice,
- the profanation of mausoleums and the spoliation of cultural property,
- the destruction of all development infrastructure by these armed groups, notably hospitals, schools, health centres, banks and public administration headquarters,

2. *Declares null and void the supposed independence of Azawad and reaffirms* that Mali is an independent, sovereign, secular and indivisible republic;

3. *Condemns* any support whatsoever – irrespective of its origin – for these lawless and godless men;
4. *Welcomes:*
  - the prompt condemnation by the international community of the partition of Mali;
  - the unequivocal statement by the UN Security Council calling for respect for the territorial integrity of the Republic of Mali;
  - the signature of the framework agreement and *invites* all Malian parties concerned to implement it;
  - the opening of the humanitarian corridor aimed at bringing assistance to tens of thousands of displaced persons;
  - the agreement between Mali and ECOWAS on the deployment of a military force to reconquer the north of the country;
5. *Salutes* the mediation by Burkina Faso and *invites* the Government of Mali to set up a national commission for the negotiations in order to support international mediation efforts;
6. *Salutes* the action taken by ECOWAS, the African Union and the United Nations, as well as neighbouring countries, to help Mali put in place concrete measures with a view to regaining its sovereignty, unity and territorial integrity;
7. *Salutes* the renewed initiatives and proposals made by the French President, Mr. François Hollande, at the United Nations General Assembly in New York on 27 and 28 September 2012;
8. *Salutes* the unequivocal position and efforts of Mr. Yayi Boni, current President of the African Union, supporting Mali in its bid to regain its territorial integrity;
9. *Thanks* all high-profile figures who support the cause of a united and indivisible Mali, in particular the many Heads of State and Government who expressed such support at the most recent UN General Assembly in New York;
10. *Invites* all stakeholders in Mali to exercise restraint with a view to restoring and strengthening the public authorities and to cooperate in order to ensure the organization as soon as possible of transparent and uncontested elections that are above reproach in a unified country under international monitoring for a speedy return to democracy;
11. *Salutes* and *thanks* the inter-parliamentary organizations that condemned almost unanimously the declaration of independence of a portion of the Malian territory by separatists and the coup d'état of 22 March 2012;

12. Requests the UN Security Council to convene in an emergency session in order to adopt a resolution in an expeditious manner under Chapter 7 of the Charter of the United Nations on an international military intervention to free Mali of the terrorists;
13. Requests:
  - the immediate liberation of all hostages held arbitrarily by the MNLA and Ansar-eddine and their allies;
  - the opening of an investigation in order to shed light on the acts of violence committed in Mali these past months;
  - the ICC to follow up the referral of the case by the Malian Government and to initiate proceedings against anyone having committed war crimes and crimes against humanity;
14. Expresses once again its deep concern over the rapid deterioration of the humanitarian and food crisis and *requests* States to scale up and accelerate the provision of humanitarian assistance intended for persons in need;
15. Entrusts the IPU with conveying the present resolution to the UN General Assembly, Security Council and Secretary-General, the African Union, ECOWAS and all IPU Member Parliaments.