

The Sahel: What Needs To Change

Towards A New People-Centred Approach

Recommendations by
the People's Coalition for the Sahel

— April 2021 —



ABOUT THE PEOPLE'S COALITION FOR THE SAHEL

The People's Coalition for the Sahel is an informal alliance of several dozen Sahelian and West African civil society organisations, supported by international NGOs. Its objective is to promote a new approach to the Sahel (for adoption by governments) to protect civilian populations more effectively. The People's Coalition was launched in July 2020, with the publication of its People's Pillars – four priorities the People's Coalition believe should guide any response to the crisis in the Sahel.

To find out more about the People's Coalition, visit: <https://www.sahelpeoplescoalition.org/home>

LIST OF ORGANISATIONS SUPPORTING THIS REPORT:

Organisations in the Sahel and West Africa

Burkina Faso

- Association pour la Promotion Féminine de Gaoua (APFG)
- Centre Diocésain de Communication (CDC)
- Centre pour la Gouvernance Démocratique (CGD)
- Collectif contre l'Impunité et la Stigmatisation des Communautés (CISC)
- Mouvement Burkinabè des Droits de l'Homme et des Peuples (MBDHP)
- Union Fraternelle des Croyants (UFC – Dori)
- West Africa Network for Peacebuilding (WANEP) – Burkina Faso

Mali

- Association des Femmes Africaines pour la Recherche et le Développement (AFARD)
- Association des Juristes Maliennes (AJM)
- Association Malienne des Droits de l'Homme (AMDH)
- Coordination des Associations des Femmes de l'Azawad (CAFA)
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- ONG Eveil
- Volontaires pour le Mali
- West Africa Network for Peacebuilding (WANEP) – Mali
- Women in Law and Development (WiLDAF)

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- Association Nigérienne de Défense des Droits de l'Homme (ANDDH)
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- Réseau Nigérien pour la Gestion Non Violente des Conflits (RE-GENOVICO)
- Réseau Panafricain pour la Paix, la Démocratie, et le Développement (REPPAD)
- West Africa Network for Peacebuilding (WANEP) –Niger

Regional organisations

- African Security Sector Network (ASSN)
- Afrikajom Center
- All Africa Conference of Churches (AACC)
- Ligue Tchadienne des Droits de l'Homme (LTDH)
- Observatoire Kisal
- Réseau de Réflexion Stratégique sur la Sécurité au Sahel (2R3S)
- Timbuktu Institute
- Wathi, Think Tank citoyen de l'Afrique de l'Ouest

International organisations supporting the People's Coalition

- CARE International
- CCFD-Terre Solidaire
- Center for Civilians in Conflict (CIVIC)
- Fédération internationale pour les droits humains (FIDH)
- Fokus Sahel
- Global Centre for the Responsibility to Protect (GCR2P)
- Handicap International (Humanité & Inclusion)
- Human Rights Watch (HRW)
- International Rescue Committee (IRC)
- Médecins du Monde (MDM)
- Norwegian Refugee Council (NRC)
- Open Society European Policy Institute (OSEPI)
- Oxfam international
- Plan international (Burkina Faso, Mali, Niger)
- Première Urgence Internationale
- Saferworld
- Search for Common Ground
- Secours Islamique France

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FOREWORD

Occasionally, a conflict or humanitarian crisis results in suffering and instability of such an enormous scale that it requires global attention. This report successfully makes the case that the situation in the Sahel is such a crisis. This report lays bare the extent to which governance failures have resulted in the loss of life, loss of opportunity and the lack of dignity for the people of the Sahel. These governance failures are at the level of strategy, in the form of corruption, impunity and, above all, in the failure to place the protection of citizens at the center of the response to the ongoing conflict.

In this groundbreaking report, the People's Coalition for the Sahel, an entirely new coalition of organisations from across the Sahelian region, African continent, and with partners from across the world, elaborates the vision of the coalition – the four pillars of action – or 'People's Pillars'. The report effectively blends numerical data with human stories and testimonies to explicitly reflect the plight of the people of the Sahel. The message is now undeniable. As the report makes clear, the number of civilians killed has dramatically increased in Burkina Faso, Mali and Niger, where more civilians are being killed by state security forces who are supposed to protect them.

The crisis has its early roots in the failure to build the national state and to foster integration at national and subnational levels, subsequently entrenched by governance failures such as serious deficits in the management of diversity, in citizens and imbalances in public investment. Structural adjustment programmes, growth of the criminal economy and the proliferation of military interventions not answerable to the state all contributed to the progressive weakening of states' capacity to govern and to provide essential services, further deepening the governance crisis. In spite of this complex history and resulting frustrations and divisions, political solutions to address these underlying issues are persistently overshadowed by the priority given to military responses.

Although the crisis is the fastest growing in the world, with 14 million people presently in need of urgent assistance in Burkina Faso, Mali and Niger, national and international actors have not addressed the root causes of conflict or needs of the population effectively. The predominance of counter-terrorism operations continues to place a stranglehold on the respect of humanitarian and human rights principles. State incapacity, corruption, and human rights abuses prevail.

Until now, government interventions in the Sahel have not met the scale of the Sahel's human security crisis. But recent political events show that perhaps civil society concerns are beginning to be heard. The communiqué from the G5 Sahel Heads of State Summit in N'Djamena rightly commits to deepen diplomacy recognising that military efforts alone can neither solve the Sahel's deeply rooted crises nor protect civilians. This core message is at the heart of the People's Pillars and this report. However, concrete action is required to make a reality of the rhetorical shifts in N'Djamena. Indeed, civil society organisations, specifically the People's Coalition with its wealth of understanding and breadth of representation, will play a critical role in ensuring that governments deliver on these and other commitments.

We are particularly proud to be associated with the report "The Sahel: What needs to change." Its content and recommendations embody the resilient spirit of the people of the region – their tenacity, dynamism and creativity. It is our sincere hope that policymakers in the Sahel and beyond will acknowledge the value of these recommendations. It is our conviction that the same tenacity, dynamism and creativity which reside in the people of the region will no longer allow leaders within the three focus countries in this report and beyond to rest until they have acted on these people-centered recommendations. In this respect, we recognise this report as a call to action to non-state actors everywhere; communities affected by the conflict, grassroots movements, civil society organisations and international organisations - to take up this charge. As changemakers who have dedicated our lives to a vibrant, self-determining African people, we are humbled to associate ourselves with this call to action.



Dr. Djamila Ferdjani (Niger)
Chair of NGO MedCom
Physician



Pr. Abdoulaye Bathily (Senegal)
former Deputy Special
Representative of the UN
Secretary General for Mali
former minister
historian

EXECUTIVE SUMMARY

The arrival of French troops in Mali in January 2013 to halt the advance of 'jihadist' armed groups through the country marked the start of a massive intervention by the international community in the face of a multidimensional crisis. This crisis – comprising security, institutional, political, social and humanitarian dimensions -- gradually extended to the other countries of the central Sahel: Burkina Faso and Niger.

Despite sustained commitment and significant investment on the part of international partners and the states of the region, the situation in the Sahel has continued to deteriorate over the years. Civilians became the first victims of acts of violence perpetrated with complete impunity by several different actors, foremost among them being groups identified as jihadist, community groups identified as self-defence militias, criminal groups, and elements of national and regional defence and security forces. 2020 was the deadliest year for the civilian population, with nearly 2,440 deaths reported in Burkina Faso, Mali and Niger according to the latest data from ACLED. [1] In these three countries, more civilians and suspected criminals were killed last year by militia who were supposed to be protecting them than by jihadist groups.[2] Nearly two million people have been forced to flee their homes because of violence in these three countries of the central Sahel – a figure that has increased twenty-fold in just two years.[3] Six out of ten displaced persons are children,[4] with around 13 million girls and boys denied access to education.[5]

This violence has stirred up community tensions against a backdrop of competition for access to resources exacerbated by climate change, and has further damaged public confidence in states already undermined by severe governance crises, as illustrated by the coup d'état in Mali in August 2020. This insecurity in the Sahel is starting to destabilise other parts of West Africa, especially countries bordering the Gulf of Guinea.[6] The Covid-19 pandemic has only added to the multiple challenges facing Sahelians, making outside intervention in the region a more challenging proposition.[7]

Given this assessment, the effectiveness of the strategy adopted to stabilise the Sahel must be called into question. For eight years, military action has been prioritised through counterterrorist operations led by the armies of the Sahelian states, both as individual nations and as part of the G5 Sahel Joint Task Force, an intergovernmental organisation founded in 2014, bringing together Burkina Faso, Mali, Mauritania, Niger and Chad with support provided by foreign troops, primarily the French Operation Barkhane. This approach focuses on establishing security in order to facilitate the return to state authority and promote development, according to a strategy devised at the G5 Sahel summit held in Pau in France in January 2020.[8] The international community's investment in combating terrorism and boosting the capacity of Sahelian defence and security forces is estimated at €2 billion a year, which is four times the average annual allocation for humanitarian assistance over the past four years.[9]

At the same time, the security expenditure of the three countries of the central Sahel has soared over recent years – accounting for up to one-fifth of the respective national budget [10] – often to the detriment of grassroots social projects. Despite this, the security response undertaken [11] has not led to improvements in the daily lives of local populations. In fact, it has led to an increased number of incidents against civilians in many cases.

It was precisely in order to allow the voices of the most severely affected populations to be heard that the People’s Coalition for the Sahel was formed in July 2020.[12] The aim of this unique informal alliance of around 30 West African civil society organisations,[13] supported by fifteen or so international NGOs, is to draw upon Sahelian expertise to call attention to the limits of the current approach centred on military action, and to convince the region’s governments of the need to develop a coherent vision informed by the basic requirements of their populations.

For the People’s Coalition for the Sahel, any security-based approach that does not include concrete measures to ensure that civilians are protected is doomed to fail. The People’s Coalition has therefore called for a drastic reprioritisation, such that the principal measurement of success of interventions in the Sahel is not only military (list of ‘terrorists who have been neutralised’) but also takes into account the number of displaced people who have returned to their homes, reopened schools, and fields that are once again being cultivated. This reprioritisation is reflected in the “People’s Pillars”,[14] four priorities that, according to the People’s Coalition, should guide all actions taken in the Sahel:

- People’s Pillar 1: Prioritise the protection of civilians;
- People’s Pillar 2: Create a political strategy to address the root causes of the crisis;
- People’s Pillar 3: Respond to humanitarian emergencies;
- People’s Pillar 4: Combat impunity.

Despite the markedly high levels of violence, the People’s Coalition for the Sahel has observed some encouraging signs in recent months which may indicate a move towards the desired shift in approach.[15] The G5 Sahel summit held in N’Djamena in February 2021 focused on a “civil and political surge” referencing the “military surge” declared a year previously in Pau. While the summit’s final communiqué mentioned military successes and was largely devoted to the fight against terrorism, it also included new commitments to civilian protection, respect for human rights and combating impunity, as well as to governance and the deployment of basic services to the local populations.[16]

To ensure these new commitments are not just empty words but translate into real changes for the civilian population, this report aims to assess the impact of the response to the crisis in the Sahel by states in the region and their international partners as measured against the four People’s Pillars, and provide concrete recommendations based on specific indicators and measurable data. This report by the People’s Coalition for the Sahel offers a road map proposed by civil society to facilitate constructive dialogue with the various governments and multilateral institutions involved so as to protect the civil populations as a priority in all interventions in the Sahel – a critical requirement to stabilise the region and restore confidence in its states.

Key Recommendations:

1. Place the protection of civilians at the heart of the response to the Sahel crisis

- a. Make the protection of civilians, not just the fight against terrorism, central to the mandate of all military operations carried out by the states of the Sahel.
- b. Systematically measure the impact of military operations on civilians, reporting this information in public statements.
- c. Establish mechanisms to track the harm caused to civilians by all forces active in the Sahel.
- d. Extend the practice of paying compensation where harm has been caused to civilians.

2. Support political strategies to address the crisis of governance in the Sahel

- a. The governments of Mali, Burkina Faso and Niger should actively establish and implement or deepen political dialogue with all parties to the conflict and civil society, especially women and young people, at national and local levels, with the public support of international partners.
- b. The various local mediation and reconciliation initiatives already underway would benefit from improved coordination in order to contribute to a comprehensive political settlement of the crisis.
- c. Ensure the defence and security sectors are rigorously subjected to principles of good public expenditure management.

3. Respond to humanitarian emergencies

- a. Ensure humanitarian response funding meets the scale of need, taking into account the specific needs of women and girls.
- b. Facilitate access to humanitarian assistance, to essential resources, and to basic social services for people in need without discrimination.

4. Combat impunity

- a. Only with a zero tolerance policy for abuses committed by defence and security forces and militia, including acts of sexual violence linked to the conflict, can the cycle of violence be broken and the authority of the state be restored.
- b. Strengthen the capacity and resources of judicial systems in the Sahel to ensure fair and impartial investigations and accountability for abuses by perpetrators on all sides
- c. Enhance protections for human rights defenders.

METHODOLOGY

This report focuses on the three countries that have been most severely affected by the Sahel crisis: Burkina Faso, Mali and Niger. Unless otherwise indicated, the information given refers specifically to these three countries of the central Sahel.

The report is the product of research and data collection led by Niagalé Bagayoko, chair of the African Security Sector Network (ASSN), with contributions from Alioune Tine, founder of the AfrikaJom Center,[17] Oxfam International, the Norwegian Refugee Council (NRC) and members of the People's Coalition for the Sahel. The research was conducted with support from Cordaid and the Friedrich-Ebert-Stiftung (FES). The contributors adopted a mixed method approach comprising original research based on interviews conducted specifically for this report or previously given to members of the People's Coalition,[18] and open-source analysis, as well as drawing on previously published research, mainly by Coalition partners, and media articles.

Data collection was carried out based on eight indicators established following a collaborative process involving all members of the People's Coalition for the Sahel. Similarly, the report was developed and finalised with contributions and revisions made by members of the People's Coalition as a whole.

The terminology used in this report for non-state armed groups distinguishes between groups identified as "jihadists" (presented by some actors as "terrorist groups"), community-based groups identified as self-defence militias, and a third category of unidentified armed groups, sometimes also referred to as criminal groups.

This report is set out in four chapters, corresponding to the People's Pillars: the protection of civilians; a political strategy to address the root causes of the crisis; responding to humanitarian emergencies; and combating impunity. Two indicators were selected for each of these four priorities. They are not intended to cover all issues relating to each pillar, but rather to steer government action towards a specific area of intervention seen as crucial for implementing the new people-centred approach put forward by the People's Coalition.

The eight key indicators selected by the People's Coalition are as follows:

1. Number of attacks against civilians (People's Pillar 1)
2. Mechanisms tracking harm caused to civilians by military operations (People's Pillar 1)
3. Dialogue with all actors in the conflict (People's Pillar 2)
4. Transparency in defence budgets (People's Pillar 2)
5. Humanitarian funding commensurate, timely, and responsive to need (People's Pillar 3)
6. Ensuring humanitarian access (People's Pillar 3)
7. Zero tolerance for abuses committed by defence and security forces (People's Pillar 4)
8. Strengthening the capacity and resources of the judicial systems (People's Pillar 4)

Each indicator comprises:

- A presentation of background context alongside a brief overview and explanation of why the indicator was selected.
- A body of qualitative or quantitative data from identified sources used to establish a baseline (the current situation) and target success metric (what needs to change) to be met by a specific deadline, e.g. for six months' time (i.e. October 2021).
- Recommendations for the governments of the Sahel and their international partners (how to effect the desired change).

Acknowledgements

It would not have been possible to produce this report without the efforts of researchers Mahamadou Abdourahamani, Boubacar Ba, Delina Goxho and Kalilou Sidibe. Recognition is also due to Heni Nsaibia of ACLED (the Armed Conflict Location and Event Data project) for his advice on the use of civilian casualty data; Kalidou Kassé for generous use of 'The Hand of Hope' painting for the cover of the report; Noha Mouzannar for the design and layout of the report; and Robert Arnott for translating the report into English. The report would be incomplete without the images and stories generously provided by the Norwegian Refugee Council, Oxfam International, Réseau Panafricain pour la Paix, la Démocratie, et le Développement (REPPAD) and the Commission Nationale des Droits Humains from Niger (CNDH).

Please note: this report is a translation of the original french language report available [here: https://www.sahelpeoplescoalition.org/rapport-sahel-ce-qui-doit-changer](https://www.sahelpeoplescoalition.org/rapport-sahel-ce-qui-doit-changer)

List of Abbreviations

The Armed Conflict Location & Event Data Project	ACLED
Civil-Military Cooperation	CIMIC
Civilian Casualties Identification, Tracking and Analysis Cell	CITAC
Humanitarian Civil-Military Coordination (coordination civilo-militaire)	CMCoord
European Union Training Mission in Mali	EUTM Mali
Franc of the African Financial Community (In French, Franc de la Communauté financière africaine)	FCFA
G5 Sahel Joint Task Force	FC-G5S
Defence and Security Forces	FDS
Financial Tracking Service of the United Nations	FTS
Office for the Coordination of Humanitarian Affairs (OCHA)	
High Authority for the Consolidation of Peace	HACP
Humanitarian Response Plan (Plan de réponse humanitaire)	HRP
International Criminal Court	ICC
International Non-governmental Organisation	INGO
International Humanitarian Law	IHL
Mission to Support National Reconciliation in Mali (In French, La Mission d'Appui à la Réconciliation Nationale)	MARN
The United Nations Multidimensionnel Integrated Stabilisation Mission in Mali	MINUSMA
Non-governmental Organisation	NGO
National human rights commissions (CNDH in French, Les Commissions nationales des droits de l'Homme)	NHRC

List of Abbreviations

United Nations Office for the Coordination of Humanitarian Affairs	OCHA
Office of the High Commissioner for Human Rights	OHCHR
Quick Impact Projects (Projets à impact rapide)	QIPs
The National Network for the Fight Against Corruption (In French, Réseau National de Lutte Anti-Corruption au Burkina Faso)	REN-LAC
United Nations (ONU in French, Organisation des Nations Unies)	UN
United Nations International Children's Emergency Fund	UNICEF

1. PUTTING THE PROTECTION OF CIVILIANS AT THE HEART OF THE RESPONSE TO THE CRISIS IN THE SAHEL

1.

WHAT ARE THE PROBLEMS?

- The civilian population is the primary victim of insecurity in Burkina Faso, Mali and Niger.
- Between 2017 and 2020, the number of attacks against civilians increased fivefold from 205 to 1,096, and the number of unarmed civilians and suspects killed (including women and children) increased sevenfold from 356 to 2,443 according to ACLED data.
- In 2020, more civilians in Mali were killed in attacks by defence and security forces responsible for protecting them (35%) than by jihadist groups (24%).

KEY ELEMENTS OF THE SOLUTION

- Make the protection of civilians, not just the fight against terrorism, central to the mandate of all military operations carried out by Sahelian states.
- Systematically measure the impact of military operations on civilians, and regularly report on this information in public statements.
- Establish mechanisms to track civilian harm tracking by all forces active in the Sahel.
- Extend the practice of paying compensation to instances where harm has been caused to civilians.

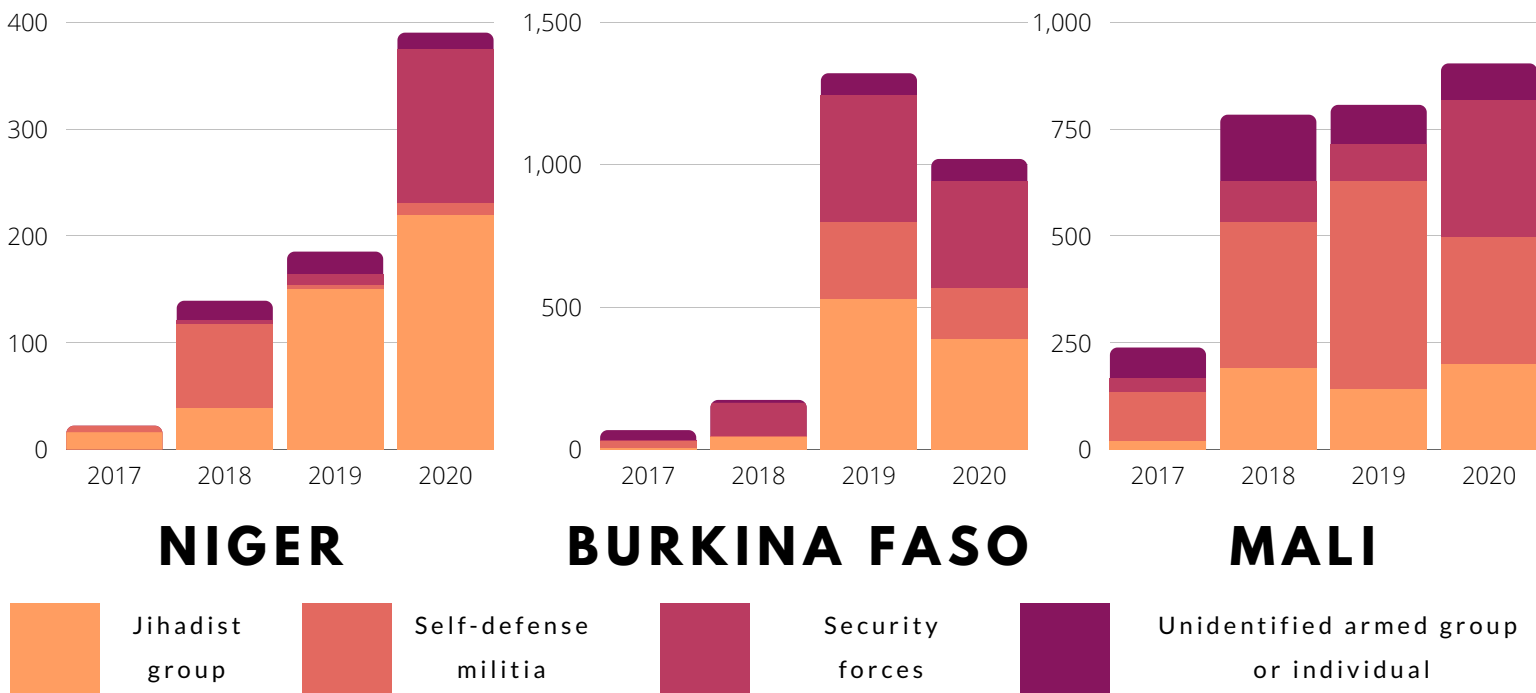
PEOPLE'S PILLAR 1

Making the protection of civilians and human security the strategic priority of any intervention in the Sahel.

This pillar involves prioritising objectives and actions to ensure Sahelian civilians are better protected (including the most vulnerable groups, such as children, women, persons with disabilities, members of minority groups, displaced persons and refugees, suspects and detained persons), by preventing and reducing their exposure to violence and abuses committed by different actors. Protection of civilians is understood here as all efforts undertaken to protect civilians from conflict-related harm.[19]

INDICATOR 1: Number of attacks against civilians

Number of civilian victims by category of perpetrator in Mali, Burkina Faso and Niger, 2017-2020 (ACLED data updated to March 5, 2021)



"The consequences are enormous. These are children who were eyewitnesses to their parents being shot dead. The public schools that are supposed to accommodate displaced people are overwhelmed."

Sawadogo Nebyinga,
Burkinabe teacher



Photo: Innocent Parkouda/NRC

INDICATOR 1: Number of attacks against civilians

Nine years on, violence and insecurity are still rife in the Central Sahel with hundreds of thousands of people losing their entire villages, homes and schools. In the town of Kaya, Burkina Faso, many children are unable to return to classrooms due to overcrowding in schools as a result of increasing attacks and massive waves of displacement.

"On the day the attack took place, we were in the middle of class. We were taking a test. Suddenly, armed men on motorcycles arrived at our school in the afternoon. They fired shots in the air and set our library on fire. All our notebooks and textbooks were burned. The fire destroyed everything including our desks and the roof. Since these events took place, our school has remained closed [...]. From time to time, I revise past lessons and prepare for whenever school may resume. I work in the fields to help my parents out. If today we are asked to come back to school, I am not afraid to come back. I want to continue my studies."

Sidi Moussa Diallo,
20-year old-student

CURRENT SITUATION

Attacks on the civilian population have been increasing exponentially in the central Sahel. While fewer than 200 such attacks were recorded in 2017, over 1,100 were registered in 2020 according to data from ACLED.[20] 2020 was the deadliest year for civilians in Burkina Faso, Mali and Niger, with over 2,440 fatalities, marking a sevenfold increase between 2017 and 2020. By way of comparison, more than 1,000 personnel in the defence and security forces died in 2020, triple the number of three years previously. In Niger and Burkina Faso, children were kidnapped, murdered and recruited by armed groups.[21]

While these attacks originally stemmed from the emergence of so-called jihadist groups, the intensification of military operations brought greater complexity to this violence. In Mali in 2020, more unarmed civilians and suspects were killed at the hands of the defence and security forces who were supposed to be protecting them (35%) than by the jihadist groups (24%). 32% of fatalities were attributable to community self-defence militias, sometimes acting in collaboration with defence and security forces, and 9% of killings were at the hands of unidentified groups and individuals. In Burkina Faso, a similar proportion of deaths was attributed to jihadist groups (38%) compared to defence and security forces (37%), whereas militias were responsible for 18% of the killings. In Niger, where violence linked to militias is currently less widespread, deaths attributable to jihadist groups form a clear majority (56%), a figure that rose significantly early in 2021 following a series of major attacks that killed several hundred in January and March.[22] Nevertheless, Nigerien defence and security forces were responsible for 37% of civilian fatalities in 2020.

These figures underscore the limitations of the counterterrorist approach which has failed to curtail attacks by jihadist groups that have nearly doubled every year since 2016.[23] On the contrary, this approach has resulted in increased threats to the civilian population now caught between jihadist groups, regular armed forces, militias and criminal groups.[24] While these interventions were intended to stabilise the security situation, the current strategy has not succeeded to break the cycle of violence fuelling tensions between different communities and sowing distrust among the rural populations of Burkina Faso, Mali and Niger toward the State and the defence and security forces. The governments of these three countries are struggling to fulfil their responsibility to protect their people.[25] There has been very little community engagement or consultation with the people affected by insecurity on the part of the armed forces in the Sahel. As one Sahelian officer anonymously stated to a member of the People's Coalition: "It's not just a war against the terrorists; it's more of a war against underdevelopment, injustice and poor governance."

It has been widely documented – drawing on examples from Afghanistan, Somalia, Nigeria, Iraq and Yemen over the past 15 years – that if the principle of civilian protection is not integrated from the outset, counterterrorism campaigns can introduce additional factors of conflict, rather than stabilise the situation. Therefore, civilian protection is not just a legal, moral and human imperative; it is also a strategic requirement.[26]

The case of the Sahel provides another example of military intervention where it is difficult to understand how civilian protection is integrated into the planning, conduct and assessment of operations, beyond basic training in international humanitarian law and the law of armed conflict often emphasised. For example, Sahelian and French military leaders list the number of “terrorists who have been neutralised” during their operations in issued statements. Yet the harm caused to civilians and the destruction of civilian infrastructure or property in the pursuit of military objectives are rarely the subject of any statement. Such matters are not systematically recorded, and seldom receive a response from military officials. The details are sometimes even underestimated or contested by authorities, even if documented by non-governmental organisations.

Similarly, at the G5 Sahel summits, heads of state systematically pay homage to the civilian victims of “armed terrorist groups” without acknowledging civilians who have been killed by other actors. In Pau in January 2020, the G5 cited the protection of civilians as the prime objective of the military action undertaken[27] without making a clear distinction between counterterrorism and protection objectives, which require different missions, methods and modalities. In N’Djamena in February 2021, the G5 welcomed the development of a civilian protection strategy.[28] These official declarations are a first step, but there is still a great deal to be done to integrate civilian protection at the heart of the mandate of military operations in the Sahel in a concrete, operational sense.

It is for this reason that the number of attacks against civilians and breakdown of attacks by perpetrator was chosen as a key indicator to measure the impact of government action in the Sahel on improving the protection of the civilian population.

WHAT NEEDS TO CHANGE?

In order to fulfil the objectives on the number of attacks against civilians, the **People's Coalition for the Sahel** recommends:

To governments in the Sahel and their international partners:

- Put the protection of the civilian population and civilian property at the heart of military operations and national security strategies, with specific protections for the most vulnerable people, including women and children.
- Acknowledge all civilian victims of the conflict on all sides, irrespective of the perpetrators and of the context, in official communications.
- Ensure that reliable data is collected on armed violence resulting in civilian injury and death - disaggregated by age, gender and disability - as well as the impact of violent acts on civilian facilities and infrastructure.
- Prevent, mitigate and respond to the harm caused to civilians during military operations carried out by all actors in the Sahel (see Indicator 2) to deliver positive outcomes for civilian populations (e.g. a reduction in violence against civilians; access to care for the victims of all forms of violence, including gender-based violence; conditions allowing displaced persons to return to their homes in safe, voluntary and well-informed conditions; the reopening of a school or health centre; or the setting up of basic services),^[29] rather than just a tally of the number of fighters eliminated.
- Set up parliamentary committees in the three countries of the central Sahel who exercise oversight over national government policy and practice to protect civilians, in consultation with civil society organisations, including women's organisations, to assess the progress governments have made.

BASELINE

1,096 attacks and 2,443 civilians killed in Burkina Faso, Mali and Niger in 2020, equating to a monthly average of 91 attacks and 203 deaths. Most deaths across the three countries are attributable to the defence and security forces. There is little reliable data available on the number of civilians injured.

SOURCE

ACLED data

MEASURES OF SUCCESS

- 50% drop in attacks on civilians committed by members of defence and security forces by October 2021.
- 20% drop in attacks committed by so-called self-defence militias by October 2021.

INDICATOR 2: Mechanisms within defence and security forces for monitoring civilian harm

CURRENT SITUATION

Civilian protection is increasingly cited by the various military forces present in the Sahel as an objective of their interventions. However, the multiplicity of actors with their different mandates (detailed below), together with the patchwork of political interests and military strategies, make any definition of a common approach to civilian protection a complex matter. This lack of coherence increases the risk for civilian populations and hampers the effectiveness of international military efforts. The adoption of specific harm mitigation measures to prevent, minimise and address harm caused to civilians by military presence, activities and operations would be a first step towards concretely implementing civilian protection.[30] In this context, the establishment of the Civilian Casualties Identification, Tracking and Analysis Cell (CITAC, or MISAD in French) by the G5 Sahel Joint Force in January 2021 sets a precedent for other military actors to follow, including notably the armies of the Sahel.

1. International forces

MINUSMA (United Nations Multidimensional Integrated Stabilization Mission in Mali), which has approximately 15,000 staff (of whom around 13,000 are military personnel), places civilian protection at the heart of its mission and operations. According to its mandate, MINUSMA is authorised to use all means necessary to ensure the protection of civilians under immediate threat of physical violence, especially women, children and persons with disabilities.[31] This priority was supported by the United Nations Security Council and, since June 2020, the mission has recorded and systematically monitored its response rate to alerts of imminent threats to civilians.[32]

French Operation Barkhane, with 5,100 personnel, focuses its efforts on “directly combating the terrorist threat, supporting partner armies and actions beneficial to the population.”[33] It has been engaged in a counterterrorist operation which does not include civilian protection as part of its mandate. This explains why Operation Barkhane does not intervene to address communal violence. While it may be understood from an operational mandate perspective, this approach has raised questions among people in the Sahel. For instance, the International Crisis Group has highlighted concerns by locals about “the presence of foreign forces fighting one category of violent actor but leaving others free to mount attacks upon civilians nearby.”[34]

They generally do not detail the harm caused to civilians during operations, despite there being precedence for counterterrorist operations led by Western forces that included this aspect of protection, as seen in Afghanistan, for example.[35] The French Minister of the Armed Forces has provided reassurance, however, that Operation Barkhane rules of engagement are in strict compliance with the law of armed conflict. “There shall be no impunity. Wherever fault or error lies, everything is traced back and reported to the judicial authorities by the military authorities. There is zero tolerance of any deviation,” explained a Barkhane spokesman[36] in response to controversy surrounding air strikes on 3 January 2021 on the village of Bounti in Mali. A subsequent UN investigation, published in March 2021, determined that the air strikes had caused the death of 19 civilians attending a wedding.[37]

INDICATOR 2: Mechanisms within defence and security forces for monitoring civilian harm

The Barkhane force does not publicly comment on abuses carried out by partner Sahelian armed forces either, unlike MINUSMA, whose Human Rights Division identifies violations by all sides. In private, French officials offer reassurance that the presence of international troops alongside Sahelian defence and security forces during joint operations means that any abuses can be prevented. When abusive acts carried out by members of the Sahelian forces are documented, matters are no longer confined to a strict military framework, and the political dimension takes over. Information on this type of abuse can be followed up by a certain degree of political pressure on Sahelian authorities in a bilateral and highly confidential setting.[38]

Several hundred special European troops have been deployed since the summer of 2020[39] as part of the new **Takuba Task Force** under Barkhane command. They, too, do not have a mandate to protect civilians. There is no information or proof available indicating the adoption of good practices for civilian protection by the Takuba Task Force in its training activities, technical assistance or joint operations, aside from instructions to respect international humanitarian law.

The European Training Mission in Mali (EUTM Mali) seeks to strengthen the military capacity of the Malian armed forces through education, training and advice. Aside from operational training (combat training), its other activities relate to respect for international humanitarian law and human rights and the prevention of sexual violence. Whereas civilian protection is taught in training, best practices are not systematically covered, and the required adjustments are not always made on matters of advice, operational procedures and the tools needed for putting civilian protection into practice.[40]

2. Sahelian armed forces

While there is very little evidence on the implementation of civilian protection measures by Sahelian defence and security forces, the scale of violations committed against civilians by the armed forces of Burkina Faso, Mali and Niger indicates serious shortcomings in these three countries in this regard.

Out of the three countries, **Niger** seems to have the best record on civilian protection, although there is still room for improvement. The Nigerien defence and security forces observe some good practices and have paid a degree of attention to the harm caused to civilians, notably thanks to the establishment of the High Authority for the Consolidation of Peace (HACP), an institution directly connected to the Nigerien Presidency and whose president carries the rank of minister. None of these practices have been systematically adopted. There is still no formal mechanism for taking account of incidents that harm civilians or that damage civilian infrastructure, for paying out compensation when civilians are killed or injured or when their property is destroyed or damaged, nor are there any standard operating procedures for mitigating civilian casualties. When it comes to civilian protection, community engagement is strengthened through some elements of security training, but this is neither compulsory nor formalised. These measures have not prevented massacres attributed to elements of law enforcement. An example is Inatès, where the Nigerien National Commission on Human Rights and Fundamental Liberties recorded the death of at least 71 civilians found in mass graves.[41]

INDICATOR 2: Mechanisms within defence and security forces for monitoring civilian harm

In **Burkina Faso**, there is some political will among the political and military leadership to devote more attention to civilian protection, but this does not seem to have been translated into any specific mechanisms. The Burkinabé government has been criticised by human rights organisations for withholding information on the violence committed by its defence and security forces against civilians.[42]

The authorities acknowledge that civilians may have been collateral victims of military operations. Some officials have anonymously informed the International Crisis Group that there was no option other than to use force to dissuade civilians from collaborating with enemy forces and to calm public opinion by showing quantifiable results.[43] Indeed, the public reporting of operations is often limited to a simple count of the “friendly” and “enemy” death tolls, without even mentioning the civilian casualties. The same applies in Mali and Niger. While internal records may take account of civilian casualties, this is considered optional and is left to the discretion of the battalion commander. A public denunciation by civil society organisations of mass human rights violations by Burkinabé defence and security forces were followed by a reduction in the incidence of abuses in the second half of 2020.

In **Mali**, the gendarmerie, the police and the national guard are required to report incidents involving civilians. The army is not under the same obligation, however, and there is no official tool for recording or tracking the harm caused to civilians. The investigation work led by MINUSMA’s Human Rights Division led to the removal of several military officials implicated in these abusive acts against civilians, but none of the judicial proceedings that were initiated have so far come to trial.[44]

The joint civilian-military transitional government installed following the coup d’état of August 2020 does not appear to accord any more priority to civilian protection than its predecessors. The Mission to Support National Reconciliation (MARN), set up to assist the government in its efforts to stabilise the country and strengthen social cohesion, defined its priorities in November 2020 and did not chose civilian harm mitigation as a priority area of intervention. Unlike the HACP in Niger, Mali’s MARN lacks the political clout required to impose the establishment of civilian protection mechanisms.

In 2018, a Human Rights Compliance Framework was established for the **G5 Sahel Joint Force** bringing together Burkinabé, Malian, Mauritanian, Nigerien and Chadian troops with support from the Office of the United Nations High Commissioner for Human Rights (OHCHR).[45] The goal of the framework is “to operationalize the approach” under which respect for human rights “during military operations enhances security and decreases the risk of civilian harm while contributing to addressing violent extremism and terrorism.”[46]

This was the first time that a range of actors collectively committed to respecting human rights in a context of counter-terrorism operations, according to OHCHR, which noted the progress made since 2018. Particular advances were the Joint Force’s adoption of recruitment selection rules; implementation of a training programme for key Joint Force personnel on international humanitarian law, human rights and civilian protection; inclusion of human rights and IHL norms in the doctrine and procedures of the Joint Force; and inclusion in the Joint Force of a child protection adviser.

INDICATOR 2: Mechanisms within defence and security forces for monitoring civilian harm

Despite this progress, the G5 Sahel Joint Force is still regularly implicated in human rights violations. In August and September 2020, for example, two children tending livestock were killed when a Joint Force convoy passed through Boulekessi in Mali. An elderly woman was crushed in her hut by a vehicle conducting a reconnaissance patrol, according to MINUSMA.[47] In April 2021, the National Human Rights Commission of Niger documented at least three cases of rape (an 11 year-old girl and two women), by members of a Chadian contingent of the G5 Sahel Joint Force in Tera, Niger.[48] Following these allegations, the G5 Sahel Joint Force reacted quickly and decisively by announcing the withdrawal and repatriation of the offending soldiers, the initiation of disciplinary sanctions, the opening of a criminal investigation, immediate assistance to victims, and a "zero tolerance" policy for human rights violations, including sexual violence.[49]

One of the most encouraging innovations under the Human Rights Compliance Framework was the launch on 27 January 2021[50] of the **Civilian Casualties Identification, Tracking and Analysis Cell (CITAC)** - MISAD in French. Established with support from the Center for Civilians in Conflict (CIVIC) in partnership with the Office of the High Commissioner for Human Rights and the financial support of the European Union, CITAC involves the G5 Sahel Joint Force and participating national armed forces setting up internal surveillance and investigation mechanisms for tracking, identifying, analysing and responding to incidents involving civilians that may arise during military operations.

CITAC, once operational, should enable ownership by the G5 Sahel Joint Force of a set of accountability procedures for civilian harm. A civilian harm tracking mechanism in an operational zone expands the capacity of military forces to respond to incidents of civilian harm. This response is envisaged at three levels: through an adjustment of tactical procedures and operational planning (for the prevention of future incidents); through compensation to victims (unilateral amends as recommended in CITAC guidelines, still being drafted) and through apologies to victims and communities, together with appropriate local strategic communication.

CITAC's mission goes beyond the scope of the G5 Sahel Joint Task Force. It provides the region's national armies with a concrete opportunity to put civilian protection policies into practice by adopting similar mechanisms. CITAC and the Compliance Framework more generally, provide an opportunity to strengthen coordination between the different armies operating in the region – not just between the regional and national forces but, in the longer term, with the French Operation Barkhane, the European Takuba Task Force and MINUSMA.

A novel initiative of such scale faces several challenges. The fact that CITAC has been launched and that it has the support of political actors does not guarantee that its procedures will be implemented. Helping the various military forces to better protect civilians in the context of counterterrorism operations requires dedicated resources, specialist competencies, and both national and international engagement backed by commitment at political and operational levels. Moreover, CITAC operates specifically at the level of the G5 Sahel Joint Task Force. It is therefore essential that defence and security forces in Burkina Faso, Mali and Niger, with their collective strength, work to adopt similar mechanisms so as to start making an impact on the security situation in the region. Ultimately, the pursuit of a civilian protection strategy[51] serves to highlight how slow all G5 Sahel countries have been in this regard.

INDICATOR 2: Mechanisms within defence and security forces for monitoring civilian harm

Acknowledging the harm caused to local populations is an essential step to kick-start the process of re-establishing confidence between the armed forces and the civilian population. It could also play an essential monitoring and early warning role. Hence this report considers accountability mechanisms to track harm to civilians by the armies present in the Sahel a key indicator in measuring the effectiveness of stabilisation strategies in the region.

Despite its importance, this indicator is not sufficient in itself. Legal consequences should be put in place for those who commit or allow human rights violations (see chapter 4, “Combating impunity”). Greater attention should also be paid, in the first instance, to the underlying causes that lead to such abuses. Addressing root causes, including inadequate – or even predatory – governance structures and processes within local armies, could ensure the continuation of efforts to protect civilians (see chapter 2, “Supporting political strategies to address the crisis of governance in the Sahel”).

WHAT NEEDS TO CHANGE?

In order to fulfil these civilian protection objectives, the **People's Coalition for the Sahel** recommends:

To national armies of Burkina Faso, Mali and Niger:

- Put in place mechanisms to track harm to civilians, like those of CITAC for the G5 Sahel Joint Task Force) so that training on IHL and the law of armed conflict,[52] as well as mitigation strategies for the harm done to civilians in connection with the presence, activities and military operations of the national armies, can be formalised within the practices of these armies. These mechanisms should be evaluated regularly to assess their effectiveness.
- Strengthen communication, collaboration, and accountability to civilian populations, through the institutionalisation of training programs in non-violent conflict management for defence and security forces and through the establishment of civil-military consultation mechanisms at the local level which leverage civilian protection priorities.
- Adopt compensation mechanisms for civilian casualty incidents (including civilians who were affected indirectly), in order to help rebuild confidence between local populations and defence and security forces and to help civilians pursue their lives despite the difficult circumstances.

To international forces such as MINUSMA, Operation Barkhane, the Takuba Task Force and EUTM:

- Set a good example by sharing best practices on civilian protection, especially through transparency, community engagement as well as gender and age sensitive approaches.
- More systematically encourage and support the establishment of mitigation mechanisms among Sahelian military partners for harm caused to civilians.

BASELINE

There is only one civilian harm tracking mechanism in the Sahel, set up in January 2021 by the G5 Sahel Joint Force.

SOURCE

Communications from senior military in the region; reports from NGOs.

MEASURES OF SUCCESS

Commitment by national armies of the Sahel to adopt two new mechanisms by April 2022.

SUPPORTING POLITICAL STRATEGIES TO ADDRESS THE CRISIS OF GOVERNANCE IN THE SAHEL

2.

WHAT ARE THE PROBLEMS?

- In the response to the crisis in the Sahel, political dialogue, especially that involving elements of armed groups, has long been eclipsed by the prioritisation of military action. Various conflicts will require a negotiated approach, mobilising reconciliation mechanisms. However, initiatives to foster dialogue between the different actors in the region are already increasing in number at the local level.
- The origin of the current security crisis lies in deep-seated deficiencies in governance, especially in relation to economic transparency and the lack of space for civic participation, leading to an absence of government accountability.
- The state is often perceived by the people of the Sahel region as being a predator, rather than a protector.
- A profound crisis of governance has emerged where cases of government corruption in the region have revealed that tens of millions of euros have been embezzled in the defence sectors of Niger, Mali and Burkina Faso.

PEOPLE'S PILLAR 2

Create a comprehensive political strategy to address the root causes of insecurity, especially in governance.

This means making more of an effort to improve governance across the region while actively encouraging political dialogue with the involvement of civil society.

KEY ELEMENTS OF THE SOLUTION

- The governments of Mali, Burkina Faso and Niger should actively support and engage in political dialogue with all parties to the conflict and with civil society, especially women and young people, both nationally and locally, all with the public encouragement of international partners.
- The various local mediation and reconciliation initiatives that are already underway would benefit from improved coordination to contribute to a comprehensive political settlement of the crisis.
- Ensure that defence and security sectors in the region are rigorously subjected to the principles of good public expenditure management.

INDICATOR 3: Dialogue with all conflict actors

CURRENT SITUATION

The origins of the security crisis in the Sahel lie in the inability of the governments in the region to respond to the threats faced by their populations, further eroding their legitimacy, having already been weakened by a profound crisis of governance. The prioritisation of counterterrorist operations in recent years has removed some of the drive to address the deep-seated causes of the multidimensional crisis that existed prior to the emergence of non-state armed groups. Political dialogue is required with all the actors involved in conflict, together with the active participation of all elements of civil society, particularly women and young people.

Criticism of governance in countries of the Sahel (endemic corruption, failures of democratisation in public policy, decentralisation, urbanisation, the management of natural resources, education, development, healthcare, access to social services, security and justice) lies at the heart of the demands being made by marginalised populations of the region, especially those living in neglected peripheral rural areas, where most of the violence has been concentrated. This discontent has been taken up and sometimes exploited by various insurrection movements, whether populist, autonomist or jihadist.

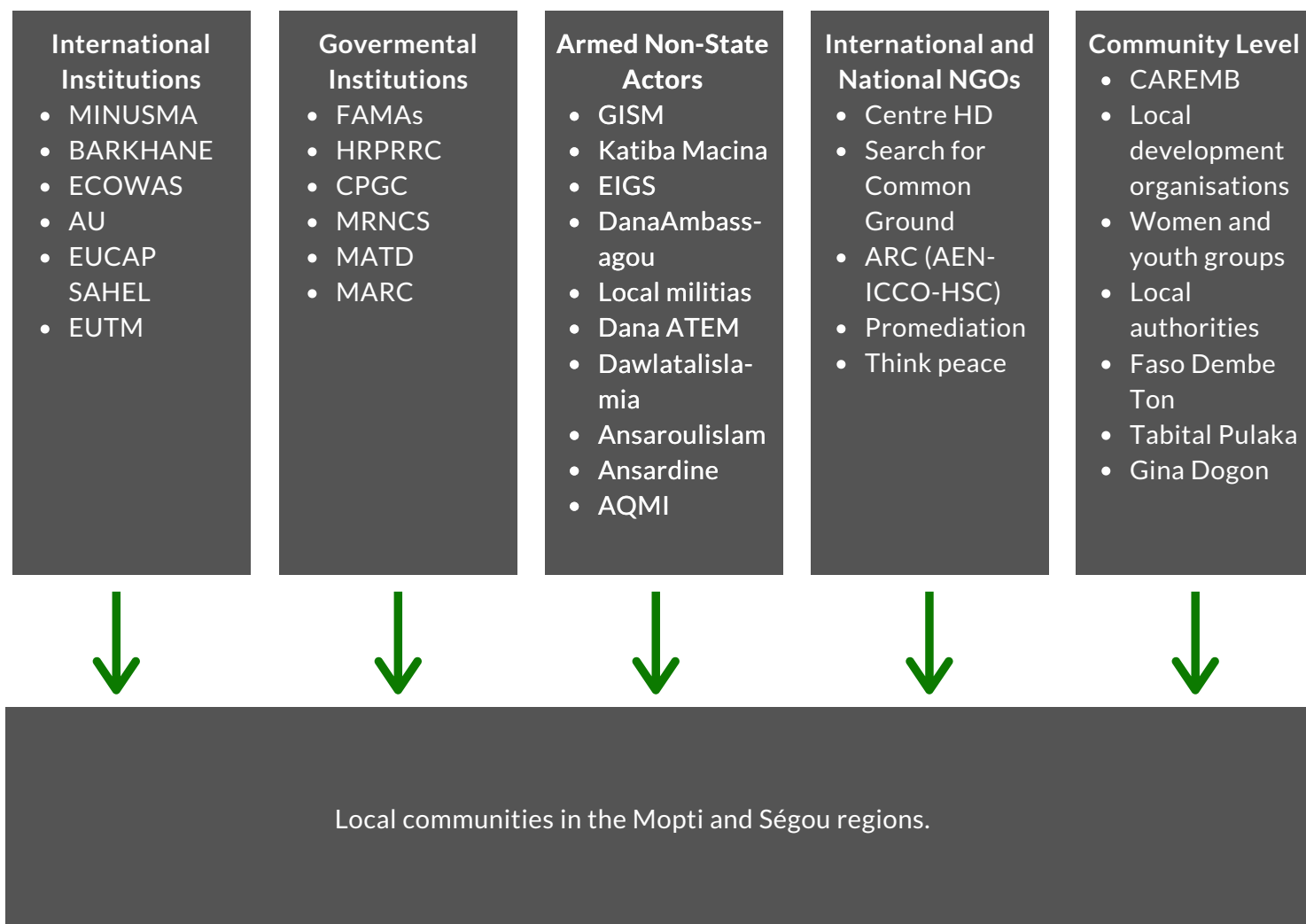
Given the limited impact of military action by national, regional and international forces, calls to establish political dialogue with a greater number of the actors involved in conflict are now increasing,[53] especially from policymakers in Mali and, more recently, Burkina Faso.[54] Senior international officials have also recently come out in favour of a negotiated solution, including the Secretary-General of the United Nations[55] and the former African Union Commissioner for Peace and Security.[56]

In parallel to national and international debates on opportunities for dialogue with armed groups, which can sometimes be reductive, a number of conflict prevention and resolution initiatives have already been initiated at the local level in Mali as well as in Burkina Faso and Niger. These efforts, which involve a wide range of actors including national and local authorities, national and international civil society organisations, religious and traditional leaders, members of armed groups and self-defence groups and international donors, are worthy of detailed examination, as they offer valuable lessons in conflict resolution at the national and regional levels. Furthermore, this work would benefit from actively including women's organisations and young people, given the risk for them to be recruited by armed groups due to a lack of opportunities.

A mapping of the conflict resolution initiatives was carried out for this report for the Mopti and Ségou regions of central Mali. The mapping revealed more than twenty distinct interventions since 2019, involving several dozen actors. These initiatives helped to ease tensions at the local level through verbal agreements between local community representatives and leaders of armed groups. For example, MINUSMA and the Malian Local Development Support Initiative (IMADEL), a local NGO, facilitated a series of five community dialogues[57] in the region in 2020, with support from local authorities, allowing communication channels to be re-established between communities that were no longer talking to each other. In the Mopti region, the Centre for Humanitarian Dialogue (HD) and the Monobèm Community Association facilitated the negotiation of three agreements[58] between the Fulani and Dogon communities in January 2021 under the mandate of the Malian Prime Minister's Office, which directly resulted in the Fulani being able to access the Koro market for the first time since 2018.

INDICATOR 3: Dialogue with all conflict actors

Overlapping dynamics of interventions in communities in Central Mali:
weak synergies, no comprehensive reconciliation plan



In the Ségou region, negotiations to lift the siege of the village of Farabougou, which had been encircled since October 2020 by armed groups described as jihadist (with Dozo (Bambara) and Fulani militia also involved) were undertaken under the auspices of representatives of the High Islamic Council of Mali (HCIM), mandated by government authorities. The negotiations resulted in a fragile and temporary ceasefire agreement in March 2021.[59] Jihadist groups also negotiated local peace agreements in the areas that they control, where, in the absence of state authority, they have introduced new rules, often enforced through coercion. According to the Danish Institute for International Studies, these agreements, aimed at settling disputes between Dogons and Fulani by managing access by farmers and herders to key natural resources, appear to be more sustainable than those backed by the international community, which exclude jihadist groups.[60]

INDICATOR 3: Dialogue with all conflict actors

An analysis of the different experiences of conflict resolution efforts in central Mali reveals a mixed picture. In spite of significant progress, there appears to be a lack of coordination and synergy between the different mediation actors, with multiple mandates held by various initiatives that may end up in competition with one another. Aside from the risk of duplication, lack of coordination may also result in and operationally weak conflict prevention and resolution strategies. A further risk is the discrediting of public policy in the eyes of communities who would have seen the various actors involved acting in a disorderly manner and failing to bring about sustainable solutions.

Many similar initiatives (not covered in the present report) are being pursued in Niger and Burkina Faso.[61] If the deficiencies that have been observed are to be remedied, it would appear essential to set out a coherent framework to facilitate better coordination between the many different actors involved (governments, donors, national and international NGOs, local authorities, communities and women's and youth organisations) while also developing synergies between the various initiatives, such that they can work towards a comprehensive political settlement of the crisis. The African Union which has a mandate to coordinate the efforts of these many external actors in the Sahel as well as the contributions of its own members, should strengthen its Mission for Mali and the Sahel (MISAHEL) so as to play a more effective coordination role, linking directly with G5 Sahel and the various bodies tasked with reconciliation and peace consolidation in Burkina Faso, Mali and Niger.

By investing more decisively in support of initiatives for negotiating settlements to disputes, the states of the Sahel could restore their legitimacy and win back the confidence of their people. It was for this reason that the People's Coalition for the Sahel identified dialogue with all actors in the crisis as a key indicator for developing a more effective response to this multidimensional regional crisis.

WHAT NEEDS TO CHANGE?

In order to strengthen political dialogue, the People's Coalition for the Sahel recommends:

To the governments of Mali, Burkina Faso and Niger:

- Declare support for political dialogue and conflict resolution through negotiation at the local and national levels.
- Set out a coherent framework to improve coordination between different local initiatives, with greater synergy between the various actors involved, so that they can contribute to a comprehensive settlement.
- Promote inclusive political dialogue, taking greater account of the challenges and needs of local actors, especially women and young people, ensuring their participation in the decision-making process and creating dedicated spaces for gathering their suggestions, in line with the Women, Peace and Security and the Youth, Peace and Security agendas.
- Assess, learn and share lessons from initiatives undertaken within the region, especially those that have facilitated progress. An example is the HACP in Niger, which is directly attached to the Presidency and has strong political and institutional authority. Another example is the new ministry for national reconciliation created in January 2021 in Burkina Faso, also directly attached to the Presidency.

To the African Union:

- Grant MISAHEL a renewed and expanded mandate, with support for a negotiated approach in the Sahel, along the lines of its continental “Silencing the Guns” initiative, in particular by supporting improved coordination between different local peace initiatives, in direct collaboration with G5 Sahel and the national bodies tasked with reconciliation and peace consolidation.

BASELINE

Lack of coordinated approach between local dialogue initiatives.

SOURCE

Mapping of conflict resolution initiatives in the Mopti and Ségou regions, carried out for this report by ASSN.[62]

MEASURES OF SUCCESS

Adoption by the states of the Sahel of coherent frameworks for local peace initiatives so that they can work towards a comprehensive political settlement of the crisis.

WHAT NEEDS TO CHANGE?

To international partners:

- Shift approach by providing clear support to political projects devised and led by the states of the Sahel to resolve conflicts through dialogue with all parties to those conflicts and with all types of civil society organisations, at national as well as local levels.

INDICATOR 4: Transparency in defence budgets

CURRENT SITUATION

In responding to the governance crisis in the countries of the Sahel, international partners have often pursued policies to re-establish the authority of the state. This approach focuses more on a strengthening of administrative capacity and financial support to governments than on structural reforms, with reference to quantitative indicators of the presence of the state, rather than qualitative indicators describing the services that are provided or the legitimacy of these interventions.

In the Sahel region, people often perceive the state more as a predator than as a protector, not just because of the abuses committed by some members of the defence and security forces but because of the illegal practices of government representatives and agents, justice agencies and regional and local authorities. The lack of transparency in the management of the financial resources of the state and in international aid fuels the perception that this aid does not, in fact, benefit local populations. The aim, therefore, is not simply to restore the capacity of the state and redeploy government services throughout the countries of the Sahel; it should be to re-establish the state's legitimacy.

One of the most telling examples of this deep-seated governance crisis relates to the instances of embezzlement in the defence sector in each of the three countries of the central Sahel. The security sector is highly strategic as it accounts for 20% of the national budget in Niger and 12% in Mali and Burkina Faso.[63]

The quality of the security response by the states of the Sahel, which benefits from support from French and international forces, depends on the quality of political governance. For this reason, the security sector must be the first to break away from the ongoing practices of misappropriation of funds, widespread corruption and condoning the abuses and crimes perpetrated by soldiers (see chapter 4: "Combating impunity").[64]

In **Niger**, 76 billion FCFA (€116 million) were embezzled between 2014 and 2019, according to an interim audit by the General Inspectorate of the Armed Forces circulated in February 2020. Around 48.3 billion CFA francs (€66 million) was overcharged, and the total value of undelivered equipment (including an anti-missile protection system for the presidential plane) came to 27.8 billion CFA francs (€42 million), according to a report by the investigative journalist Moussa Aksar, publication director of L'Événement Niger[65] – which earned him a defamation lawsuit.[66]

It was not possible for inspectors to look into the extrabudgetary funding granted for outside operations and for partners, because this was never the subject of a public procurement process. Inspectors were further alarmed by how chaotically the Nigerien Ministry of Defence had issued certificates to the final recipients – documents used for international arms and ammunition transfers (including by way of aid) – to verify that the purchaser was the ultimate recipient of the equipment and had no intention of transferring it to any other party.

The inspectorate's report was submitted in February 2020 to the Nigerian presidency. A second audit report dated 29 March was required before the authorities finally brought the case to court on 7 April 2020. The latter referred to negotiations conducted with suppliers for the reimbursement of misappropriated funds, with no legal action taken. The case has now been brought by the Public Prosecutor before the High Court at Niamey and could lead to charges of forgery, the use of forged documents and the misappropriation of public funds.

INDICATOR 4: Transparency in defence budgets

On a piece of blood-stained paper found next to his lifeless body, soldier Irkoy-Tamo killed in action at the age of 24 in 2020, scribbled a small message addressed to the judge presiding over a case of financial misappropriation at the Ministry of Defense. His letter, revealed by Nigerien journalist Moussa Tchangari, begins with these words:

"Dear judge, here a soldier died on a mission for the Republic; he wants neither military honours, nor tears and lamentations. Like all those who died before him, in Diffa, Tillaberry, Tahoua and elsewhere, he wants only one thing: to be reassured that you will also accomplish your mission with dignity and build a solid case against those who turned this war into a business."

Source: Moussa Tchangari, "Questions outre-tombe d'un soldat mort pour la République"

Available at <https://tiercelabari.com/affaire-ministere-de-la-defense-nationale-questions-outre-tombe-dun-soldate-mort-pour-la-republique-par-moussa-tchangari>

In Mali, the Auditor General's Office revealed that 9.35 billion FCFA francs (€9.25 million) of funding had been misappropriated since 2014 under a contract covering the purchase of a plane, uniforms and bedding for the Malian Armed Forces. The Auditor General highlighted it as a "perfect illustration of poor financial governance and catastrophic mismanagement of public funds." [67] In October 2019, following opposition demands, the country's National Assembly, created a special committee of inquiry on financial misappropriations and malpractice in the defence sector, focusing on cases of the purchase of the presidential plane and of military equipment, the purchase and repair of Puma helicopters, the purchase of Super Tucano planes, not all of which were delivered, and the conducting of pilot training at exorbitant rates. "If we have reached the stage where members of our armed forces are falling on the field of honour daily, sometimes because of a lack of adequate material resources, such scandals have become intolerable," wrote the late Soumaïla Cissé, the then leader of the opposition. [68] The parliamentary committee of inquiry has not yet had time to complete its work, although an investigation was launched in April 2020 by the Ministry of Justice's Economics and Finance Division, which referred the case to the Public Prosecutor.

INDICATOR 4: Transparency in defence budgets

Malian civil society has played an important role in the struggle against corrupt practices within the Malian security sector, especially through campaigns led by the Platform Against Corruption and Unemployment and the Coalition of Civil Society Organisations for the Struggle Against Corruption and Poverty in Mali (COSCLCCP).

In **Burkina Faso**, Jean-Claude Bouda, the former defence minister, was arrested on 26 May 2020 following the filing of a complaint of illicit enrichment by the National Network for the Fight Against Corruption (REN-LAC)[69] and was detained at Ouagadougou's Central Prison.[70] He is being prosecuted for "forgery and the use of forged documents, money laundering and for failing to appear in court." REN-LAC's complaint was lodged following the dissemination of photos showing a luxury villa of a value estimated at nearly half a billion FCFA (€530,000) on social networks in December 2018. At the end of October 2020, Bouda was granted bail pending his trial.[71]

The highly political nature of some expenditure imposes a particular constraint on the security and defence sector, in that confidentiality is guaranteed for most budget-related information in order to avoid jeopardising national security. However, this confidentiality imperative (which should not be confused with the notion of "secrecy," an often-misused term), must not serve as a pretext for exempting the security sector from all supervision or from respecting the basic principles of public expenditure management: discipline, transparency, responsibility, predictability and contestability.

The process for preparing and implementing defence and security budgets (specifically, the actors involved, the timeline and the presentation of the budget) rarely respects the legal and regulatory procedures deriving from the above principles. What is more, confidentiality does not imply any absence of democratic accountability; it simply involves the appropriate authorisation systems and consultation procedures with respect to legislative and supervisory bodies.

The misappropriation of defence budget funding revealed that even while Burkinabé, Malian and Nigerien soldiers were being killed in combat on an almost daily basis, it serves as a reminder that security management cannot be conceived exclusively in terms of field operations. Given the scale of the corruption, civil society organisations and the media have played an important role as whistle-blowers.[72]

These cases have demonstrated the extent to which inspections and internal auditing in the armed forces, as well as independent external auditing bodies which exist outside the government hierarchy (i.e. the Court of Auditors in Niger and Burkina Faso or the Auditor General's Office in Mali), represent a vital safeguard of the rule of law. This is why the People's Coalition has used transparency in defence budgets as a key indicator for its new suggested approach to build a more effective response to the crisis in the region.

WHAT NEEDS TO CHANGE?

To improve transparency in the defence budgets of Burkina Faso, Mali and Niger as a means of contributing to better governance, the **People's Coalition for the Sahel** recommends:

To the governments of the Sahel:

- Commit to transparent, responsible management of defence budgets by applying basic public expenditure management principles.
- Significantly strengthen the resources of the armed forces inspectorates in Burkina Faso, Mali and Niger and that of independent external auditors, so that they may continue to fulfil their vital mission of auditing the public accounts.
- Establish responsibility for embezzlement in the defence sector by allowing impartial and independent judicial investigations to be concluded and by punishing proven offenders.

To international partners taking part in military cooperation programmes with the countries of the Sahel:

- Make program delivery conditional on the establishment of transparent, responsible management of defence budgets, including past misappropriation of public funds.

BASELINE

Misappropriation of several hundred million euros of funds in defence sectors in Mali, Burkina Faso and Niger, with no accountability on the part of the alleged perpetrators.

SOURCE

Reports by the Auditor General of Mali and the Courts of Auditors of Burkina Faso and Niger; audits and reports by the General Inspectorate of the Armed Forces for the Defence Ministry in Niger; reports and statements by civil society organisations involved in the fight against corruption.

MEASURES OF SUCCESS

Conclusion of impartial, independent investigations and commencement of trial proceedings in the three countries by October 2021.

RESPONDING TO HUMANITARIAN EMERGENCIES

3.

WHAT ARE THE PROBLEMS?

- Nearly 2 million people, 60% of them children, have had to flee their homes due to violence in Burkina Faso, Mali and Niger.[73]
- 150 health centers and 4,000 schools have been destroyed or forced to close because of insecurity in the three countries, depriving 700,000 children of a school education.
- 14.4 million people in the central Sahel are in need of humanitarian assistance in 2021 (60% more than a year prior). Over the course of 2020, the number of children requiring humanitarian assistance in the three countries increased from 4.3 million to 7.2 million (+40%).[74]
- This humanitarian crisis is taking place in a region already suffering from deep-rooted inequalities in terms of gender, food insecurity and a lack of basic services.
- There is a risk of humanitarian principles being compromised. This can be by Sahelian states when counterterrorism measures result in restricted humanitarian access, such as a requirement for a military escort or a ban on deployment imposed by certain central or local authorities. It can also be through the actions of donor states when humanitarian funding is tied to political, security and military considerations, which can compromise the ability of humanitarian and development actors to maintain perceptions of neutrality.

PEOPLE'S PILLAR 3

Beyond the chronic underfunding of humanitarian aid in the Sahel, there is a need to devise a comprehensive response plan to ensure that humanitarian assistance reaches the people who need it most and local populations have access to basic social services.

KEY ELEMENTS OF THE SOLUTION

- Providing humanitarian response funding commensurate with need, taking into account the specific needs of women and girls.
- Facilitating access to humanitarian assistance, to essential resources and to basic social services for people in need.

The expansion of conflicts in Mali, Burkina Faso and Niger across the tri-border area has led to a rapid deterioration of the humanitarian situation in the central Sahel. Widespread violence directly targeting the civilian population has resulted in massive displacement. Nearly 2 million people are currently displaced because of escalating conflict.[75] The number of displaced persons surpassed 1 million in Burkina Faso alone by the end of 2020 – doubling the total from the previous year.

Insecurity has led to significant restrictions on movement. In conflict-affected areas, local populations put themselves in danger simply by going out into the fields, tending to livestock, going fishing, going to a health centre, attending school, or collecting water. In August 2020, nearly 4,000 schools were destroyed or forced to close because of attacks by armed groups (seven times more than in 2017). Similarly, 150 health centres were destroyed or forced to close,[76] reducing access to sexual and reproductive health services, vaccinations, and referrals as rates of gender-based violence (+133% in Niger between 2020 and 2021), forced marriages and unwanted pregnancies among adolescents all increased. There has also been a resurgence of complex epidemic outbreaks, including polio and measles, on top of the impact of the Covid-19 pandemic.

This crisis is afflicting a region that is already in a fragile state, suffering from a structural gap in the provision of basic services, deep-seated gender inequalities, and higher-than-average rates of poverty and of food and nutrition insecurity. Many local residents have been forced to abandon their land, thus exacerbating the food emergency.[77] Across Burkina Faso, Mali and Niger, around 14.4 million people are in need of humanitarian assistance.

"We are in the crossfire: behind us there are shootings, in front of us is the disease. How will we cope?"

**Mariam Ouedraogo,
Burkina Faso**



Photo:Sylvain Cherkaoui/Oxfam

Mariam Ouedraogo (pseudonym) was living near Dablo, Burkina Faso, when attacks by armed groups forced her to flee with her family in 2019. Since then, Mariam, 25, has been staying at the Kaya site, together with tens of thousands of other internally displaced people in dire need of humanitarian assistance.

"My dream was to have a high school diploma. However, they closed the school because of insecurity. Attacks by armed groups made me flee so as not to become another victim of violence or rape. We don't have enough to eat. I have to ration my lunch if I want something left to eat in the evening. There is no firewood, and as a woman, I feel afraid when I have to go out into the bush, I do not feel safe. The disease (Covid-19) has made our lives more difficult, especially with regards to accessing water. In order not to meet many people, we leave at dawn to go to the well. We urgently need water, dishes, kettles and soap. If we were able to get these items, it would improve our daily lives."

**Mariam Ouedraogo,
Burkina Faso**

Source: Oxfam

INDICATOR 5: Funding that is commensurate, on time and responsive to need

CURRENT SITUATION

Despite this explosion of need, funding for the humanitarian response remains largely insufficient, frequently delayed and sometimes inadequate for the purpose. In 2019, humanitarian response plans (HRPs) only received 52% of their funding in Mali and Burkina Faso, and 59% in the case of Niger. By late 2020, the funding rate had gone up in Burkina Faso (60%), remained around the same in Niger (61%) and slightly reduced in Mali (48%).^[78] Moreover, funding usually arrived late. In August 2020, the response plans for the central Sahel were only 36% funded on average.^[79]

Water, hygiene and sanitation services in Burkina Faso are particularly underfunded, having received only 10% of the funding required as of September 2020. Low-cost hygiene promotion initiatives reached 65% of the vulnerable people targeted, while access to fresh water and sanitation, which require more substantial infrastructure, only reached 39% and 31% of the targeted populations respectively.^[80] The chronic lack of funding is having a negative impact on the number of people in need targeted by the response. Only 1 million of the 1.9 million people in Burkina Faso in need of water, hygiene and sanitation services were targeted in the January 2020 response plan,^[81] and the lack of funding in this sector is all the more pressing given the total number of people in need.

These deficiencies affect women and girls in particular. Traditionally in charge of managing water supplies, they will often endure hours waiting, taking the risk of travelling unprotected to water sources. The lack of toilet or shower facilities, coupled by a lack of specific assistance for menstrual hygiene, exacerbates the vulnerability of women and girls across all sectors especially regarding access to adequate healthcare, education and economic opportunities required to feed the household and independently pay for services.

Conflicts in the tri-border area between Mali, Burkina Faso and Niger are likely to worsen, thus prolonging the crisis and compounding problems on the ground. More flexible multi-year funding is needed to align peace, development, and humanitarian goals to respond quickly to new needs that continue to emerge, while also assisting displaced persons and their hosts in the interim so that they can rebuild their resilience. Humanitarian donors are generally developing their multiannual financing mechanisms, with some of this funding allocated to the Sahel region.^[82] It is important that these instruments are not tied to political or security considerations, but rather facilitate progressive assistance based on developing needs and respect for humanitarian principles.

The distribution of funding in the region remains very uneven between UN agencies, international NGOs (INGOs) and national and local NGOs. In 2020, a clear majority of funding across the three countries went through the United Nations: 65% in Burkina Faso, 68% in Mali and 85% in Niger.^[83] Thus, only 35% of humanitarian funding in Burkina Faso, 27% in Mali and 15% in Niger went directly to INGOs. Even more striking, national and local NGOs received no direct humanitarian funding in any of the three countries in 2020. A growing number of local NGOs, especially women's organisations, have faced threats of closure due to a lack of funding.^[84]

INDICATOR 5: Funding that is commensurate, on time and responsive to need

This is in stark contrast with the promises of the Grand Bargain^[85] made in 2016, when donors and humanitarian actors committed to allocate 25% of humanitarian funding each year to national and local actors in the most direct way possible. This localisation agenda, with its focus on making the humanitarian response more responsive, accountable, accessible, close to affected populations, effective and sustainable, is an aspiration more than a practice in the central Sahel. Yet, the success and sustainability of humanitarian activity requires the support and involvement of national and local NGOs, which are closer to the beneficiary populations, and therefore have acute knowledge of the territory and people's needs.^[86]

Increased funding that is proportional and responsive to humanitarian needs as a whole, and distributed in a more equitable manner among different sectors and humanitarian actors including national and local NGOs and those run by women, is crucial to achieve a timely, adequate and appropriate response. For these reasons, humanitarian funding is considered a key indicator in evaluating the overall response of governments to this multidimensional crisis in the Sahel.

WHAT NEEDS TO CHANGE?

To ensure that humanitarian funding is sufficient, timely and adequate, the **People's Coalition for the Sahel** recommends:

To donors:

- Fund at least 80% of HRPs by October 2021.
- Fund essential emergency sectors[87] in an equitable manner so that, by October, no essential sector is less than 40% funded.
- Ensure that, by October 2021, at least half of humanitarian funding is directly channelled through NGOs, with 25% going directly to national and local NGOs in the form of flexible, multiannual funding, governed by simplified procedures.
- Mobilise different instruments of development assistance in a coherent, coordinated and locally appropriate manner, including strengthening support for conflict prevention, mediation and peacebuilding, notably by investing in development while ensuring that immediate humanitarian needs are met.

To humanitarian coordination teams:

- Publish HRPs based on quality needs assessments, including an intersectional gender analysis, ensuring that more than 80% of identified needs are targeted in each essential sector and that funds are allocated in proportion to priority needs.
- Publish a progress report on the humanitarian response every three months standardised across Burkina Faso, Mali and Niger, covering the funding obtained per sector and allocated to international, national and local NGOs; the number of targeted persons reached; identification of gaps and challenges and an analysis of their impact on local populations.
- Strengthen coordination and transparency between humanitarian, development, and peacebuilding organisations, ensuring that development activity is conflict-sensitive and appropriate in the context of a protracted crisis.
- Facilitate women's participation in humanitarian coordination, ensuring that women's organisations have access to funding, so that aid can better meet the specific needs of different groups, thus reducing the risk of unintended adverse consequences.

BASELINE

The 2020 humanitarian response plans were 48% funded in Mali, 60% in Burkina Faso and 61% in Niger.

SOURCE

Financial Tracking Service (FTS), reports by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and HRPs.

MEASURES OF SUCCESS

HRPs are at least 60% funded by the middle of the year, 80% by the end of September and 100% by year end.

INDICATOR 6: Ensuring humanitarian access

CURRENT SITUATION

While some access issues concern the ability of affected populations to access essential resources, basic social services and aid, others concern the ability of humanitarian actors to reach local populations in need. This report focuses solely on humanitarian actors' access to populations in need, mainly because of the lack of systematic data on people's access.[88] Access challenges are often linked to insecurity and to physical and administrative barriers. The Covid-19 pandemic has also had an impact on the mobility of populations and of humanitarian actors. This analysis primarily explores the issue of security barriers.

Incidents directly affecting humanitarian workers such as robberies, detention, kidnappings and other direct attacks add to the risk of these workers becoming collateral victims in the conflict. While humanitarian workers are not a primary target of widespread violence in the Sahel, their status is not always sufficient to protect them. However, access strategies based on acceptance have improved access to some areas.

Acceptance is of course based on the perceived utility of humanitarian activities, but also – and above all – on an understanding and acceptance of the humanitarian mandate and principles, especially those of neutrality, impartiality and independence.[89] Building this level of acceptance requires dialogue with all parties concerned, including armed groups.

These approaches have improved access, in particular, to the Soum and Oudalan areas of Burkina Faso, and to the Koro and Dirangourou areas of Mali. However, some state and international actors oppose dialogue with those designated as “terrorists,” on the grounds that their global agenda is anti-state, anti-Western and potentially at odds with any external intervention, including humanitarian activities. Although the risk of humanitarian efforts being rejected is real, this argument should not obscure what is a much more complex reality.

The two international coalitions of non-state armed groups active in the region effectively rely on a multitude of locally based groups, which pursue their own local interests and approaches. The experiences in Mali and Burkina Faso clearly show that it is possible to build acceptance of humanitarian action among many of these groups, and that efforts should be pursued in this regard while respecting humanitarian principles.

Civilian-military coordination structures known as CMCoord, which liaise between humanitarian actors, the defence and security forces and government authorities, play a crucial role in facilitating humanitarian access based on these principles. CMCoord seeks to provide a space for dialogue, allowing humanitarian and military actors to understand their respective mandates and the principles that guide them, to manage potential tensions or misunderstandings, to lower the risk of aid being instrumentalized by security forces, and to provide principled humanitarian access in accordance with IHL.

In the three countries, CMCoord structures have been set up at both central and decentralised levels, meeting regularly with the involvement of all the forces present in the Sahel (including national defence and security forces, the G5 Sahel Joint Force and international forces – except in Burkina Faso, where there is no guaranteed international presence), although not always attended at the level of authority required to effectively implement their decisions. These structures have facilitated the negotiation of humanitarian access routes to areas where there are people in need, without requirement for an armed escort. Despite

INDICATOR 6: Ensuring humanitarian access

this, armed escorts are still regularly imposed, and no clear position has been taken in either Niger or Burkina Faso on whether humanitarian actors are able to negotiate humanitarian access with non-state armed groups without fear of negative repercussions by states or defence and security forces, such as the risk of humanitarian activity being criminalised.

In Mali and Niger, despite the existence of CMCoord, military actors continue to implement quick impact projects (QIPs) and civil-military cooperation (CIMIC) interventions, which often involve assistance activities to “win the hearts and minds” of local populations and tend to target certain aspects of humanitarian response, such as the distribution of blankets and food and providing access to water or first aid.[90] Such activities, which humanitarian actors are rarely informed about, can have the effect of blurring the distinction between the mandates of the military actors and those of humanitarian organisations, and thus the perceived neutrality of humanitarian actors. Other types of QIPs and CIMICs, focused on infrastructure such as communication systems, roads and power stations, can be implemented by the military with similar objectives without blurring any lines.

The establishment of CMCoord structures represents a first step, but to be effective they must establish clear guidelines for military and humanitarian actors on these various sensitive matters, allowing humanitarian principles to be maintained with a commitment to respect them. Furthermore, CMCoord structures must be more effective in establishing deconfliction measures between humanitarian and military actors, in particular, the timely exchange of information and advice on operational planning, so as not to compromise the access or safety of humanitarian actors.

Humanitarian access and civil-military coordination therefore represent a key indicator in making the humanitarian response in the Sahel more effective.

WHAT NEEDS TO CHANGE?

To facilitate humanitarian access to people in need and effective coordination between humanitarian actors and defence and security forces, the **People's Coalition for the Sahel** recommends:

- Strengthened civil-military coordination by October 2021, as measured by CMCoord meetings taking place at least monthly at national and decentralised levels, with participation at the requisite level of decision-making (colonel or higher at the central level).
- An agreement and commitment by all military and humanitarian actors in Burkina Faso, Mali and Niger to respect clear guidelines, suitable for the local context, including on:
 - Respect for the humanitarian mandate and principles and the clear distinction between humanitarian and military actors.
 - Acceptance on the part of the civilian and military authorities and donor states that it is possible for humanitarians to negotiate humanitarian access with all parties to the conflict, as clearly distinct from peace negotiations.
 - Consider the use of armed escorts for humanitarian actors only as a last resort and under exceptional circumstances, respecting the neutrality of humanitarian actors and avoiding any form of assimilation.
 - An agreement on which sectors should be the focus of quick impact projects (QIPs and CIMICs) led by the military.
- Commitment to ensure counter-terrorism policies and legislation do not negatively impact humanitarian assistance, including application of humanitarian exemption measures as necessary.

BASELINE

Regular civil-military coordination (CMCoord) meetings held at the national and local levels in Burkina Faso, Mali, and Niger.

SOURCE

Humanitarian Coordinator in each of the three countries.

MEASURES OF SUCCESS

CMCoord held at national and local levels at least once a month by October 2021.

COMBATING IMPUNITY

4.

WHAT ARE THE PROBLEMS?

- Most human rights violations committed in the three countries of the central Sahel are perpetrated by two categories of actors who are supposedly meant to be fighting to prevent them: defence and security forces and the “self-defence” militias that often work with them.
- No Burkinabé, Malian or Nigerien soldier or militia leader involved in human rights violations has yet been brought to justice.
- This level of impunity is as much the result of inadequate justice systems as it is a lack of political will on the part of Sahelian leaders.
- Impunity emboldens people to defy representatives of the state and exacerbates community tensions, thus contributing to a cycle of violence and facilitating recruitment by the armed groups.

PEOPLE’S PILLAR 4

Combat impunity and ensure access to justice for all.

This involves ensuring that those who commit abuses against civilians are held responsible and that the criminal justice system is strengthened, especially the judiciary and prison services.

KEY ELEMENTS OF THE SOLUTION

- Only with a zero tolerance policy of offences committed by the defence and security forces and the militia, including acts of sexual violence linked to the conflict, can the cycle of violence be broken and the authority of the state be restored.
- In order for fair and impartial investigations to be held and for the perpetrators of abuses on all sides to be held accountable, the capacity and resources of justice systems in the Sahel need to be strengthened, including enhanced protections for human rights defenders.

INDICATOR 7: Zero tolerance of abuses committed by defence and security forces

CURRENT SITUATION

Burkina Faso, Mali and Niger are the locus of mass systemic and recurring violations of human rights and IHL, where perpetrators are often not held to account. There are international commitments made by the states in the region, national judicial institutions and national human rights commissions which function as independent administrative bodies. However, none of them have been able to bring this pervasive impunity to an end.

The three borders region at the tripoint of the three countries has become the epicentre of a cycle of violence characterised by abuses perpetrated by non-state armed groups targeting civilians. In response, community groups styled as self-defence militias are mobilised and counterterrorist operations conducted by national defence and security forces in partnership with international forces present in the region. These interventions are tarnished by many instances of abuse against civilians, including extrajudicial executions of suspected sympathisers of so-called terrorist groups,[91] in contravention of international humanitarian law.

As was set out in chapter 1 of this report (“Putting the protection of civilians at the heart of the response”), the vast majority of human rights violations committed in the three countries of the central Sahel are perpetrated by two categories of actors who are supposedly fighting insecurity: defence and security forces (responsible for 36% of the killings of civilians and suspects in 2020); militia groups that often work with them (21%) of which 35% were by jihadist groups whose goal is the destabilisation of the state (see graph in chapter 1).[92] In Mali, between June and December 2020 alone, 18% of violations and human rights infringements were attributed to defence and security forces, 35% to militias, and 25% to so-called jihadists. [93]

The impunity enjoyed by members of the defence and security forces and by militias with whom they work stokes popular defiance against representatives of the state, exacerbates community tensions, and thus fuels a cycle of violence. Indeed, impunity has become one of the deep-seated causes of insecurity in the Sahel. Not only does impunity undermine efforts being made in Burkina Faso, Mali and Niger towards national reconciliation and restoring the authority of the state, it also creates an environment amenable to recruiting a radicalised youth to non-state armed groups.

The impunity enjoyed by members of the defence and security forces can be illustrated by three massacres that have taken place. In Niger, the Ministry of Justice launched a judicial investigation following the discovery of at least 71 bodies in mass graves in Inatès in March and April 2020. A thorough investigative report[94] by the Nigerian National Commission on Human Rights and Fundamental Liberties held elements of the defence and security forces responsible.[95] The Minister of Defence sought to discredit the report. One year after the event, legal proceedings announced by authorities are still not underway. In Burkina Faso, investigations were opened into allegations of abuses committed by defence and security forces in Djibo, where more than 210 mass executions were recorded by Human Rights Watch between November 2019 and June 2020.[96] The investigations have not made significant progress and there is little information in the public domain on the status of ongoing proceedings.

INDICATOR 7: Zero tolerance of abuses committed by defence and security forces

At least 71 civilians were killed in Inates, western Niger, between March-April 2020, and buried in mass graves. After a rigorous investigation, the National Human Rights Commission of Niger (CNDH) established the responsibility of security forces in these extrajudicial killings. To date, no proceedings have been initiated against the alleged perpetrators. Testimony of a survivor as told by CNDH investigators:

"I just want you to understand that at present people are more afraid of our military than of terrorists...We really need to sensitise the military so that they understand they are there for our security and not to make us feel insecure. I cannot comprehend it. We are talking about an insecure zone where you are more afraid of the military who is supposed to protect you than of the bandit who can kill you. It doesn't make sense."

Healthcare worker, arbitrary detention and torture survivor, Niger.



One of the six mass graves discovered in Inates, Niger, in 2020
(Photo: CNDH Niger)

In **Mali**, proceedings have been ordered against soldiers suspected of involvement in the summary execution of 37 civilians, including a number of women and children during an operation by the Malian Armed Forces in the village of Binédama on 5 June 2020. Eight months on, no arrest warrant had yet been issued. The attack on Binédama was led by a convoy of 30 military vehicles accompanied by traditional Dozo hunters (forming a Bambara armed group), illustrating the ambiguous relationships that can exist between defence and security forces and certain militia groups, sometimes to the extent of conducting joint operations, as in this case.

It is in this context that the widely documented instances of abuse committed by militias, whose goal is supposedly to protect their communities from attacks by armed groups, serve to stoke defiance against the state among the very populations suffering this abuse. In 2019, the Malian government sought to distance itself from a Dogon militia group called Dan Na Amassougou (meaning "the hunters who trust in God" in Dogon) by declaring it dissolved, the day after a massacre for which it was held responsible in Ogossagou on

INDICATOR 7: Zero tolerance of abuses committed by defence and security forces

23 March. In that attack 157 members of the Fulani community, including 46 children, were killed. The scale of this incident prompted the Prosecutor of the International Criminal Court (ICC) to issue a warning and to promise to do everything “[i]n complementarity with the national criminal justice system in Mali ... to ensure the investigation and prosecution of ... what appears to be egregious crimes which may fall under the jurisdiction of the International Criminal Court”.^[97]

The launch of an investigation in Mali, the warning from the ICC and the declared dissolution of Dan Na Amassougou were not enough to prevent a fresh massacre at Ogossagou less than a year later. 35 villagers, including one woman and five children, all Fulani, were killed on 14 February 2020 in an attack attributed to the same militia group, “accompanied by men in military uniforms” according to a MINUSMA investigation which found that the incident possibly constituted “crimes against humanity.”^[98] Once again, a legal investigation was launched but, one year on, no significant progress had been recorded and none of the powerful militia leaders involved in the atrocities had been brought before the courts. Instead, the leader of the officially dissolved yet still active Dan Na Amassougou was granted a visit by Mali’s Minister of National Reconciliation on 9 March 2021.^[99] “When will Mali learn that it is impunity driving the violence in Mali more than anything else?” asked an elder from a village near Ogossagou, as noted by Human Rights Watch.^[100]

In order to compensate for the failings of their defence and security forces in counterterrorist operations, the authorities in Burkina Faso have sought to provide the militias with a legal framework. The 21 January 2020 Law on Volunteers for the Defence of the Nation (VDPs) allows Burkinabé over the age of 18 to enlist as “auxiliaries in the defence and security forces to serve the security interests of their village or district of residence in a voluntary way.”^[101] These auxiliaries will receive 14 days of training, a weapon and financial support, and must commit to abide by a disciplinary code.

The creation of VDPs to better control the country’s self-defence groups, did not in fact bring an end to the culture of impunity these groups continue to enjoy,^[102] especially the Koglweogo (“guardians of the bush” in Mooré, the language of the Mossi people), who were guilty of several abuses against civilians, both before the VDP law was passed, such as in Yirgou in January 2019, and after it was enacted, including on 8 March 2020, when three villages were attacked.^[103]

The public condemnation of abuses committed by elements of the defence and security forces and by militias acting alongside them provides a crucial platform for putting a zero tolerance policy into practice. Statements to this effect made by several international partners of Sahel states following revelations of mass atrocities in mid-2020, are examples of good practice that ought to be more systematic. “Our commitment is conditional on respect for human rights,” declared the European Union’s high representative in June 2020,^[104] For the first time, the French Minister of the Armed Forces spoke about potentially reconsidering the country’s international military commitments in the event of continued violations of IHL by Sahelian forces.^[105] The then U.S. Special Envoy for the Sahel said that abuses by defence and security forces were putting US security assistance “at risk”.^[106] At the G5 Sahel summit in N’Djamena in February 2021, the states of the Sahel simply made a “call” for “strengthening” their efforts in “the fight against impunity within their armed forces.”^[107]

INDICATOR 7: Zero tolerance of abuses committed by defence and security forces

Despite these stronger international condemnations and opening of investigations, as well as various official declarations of Sahelian leaders on the much-needed fight against impunity, no Burkinabé, Malian or Nigerien soldier or militia leader involved in human rights violations has yet been brought before the courts. Despite the shortcomings in the justice systems of these countries (analysed in the following section), the main problem is the lack of political will. It was this lack of political will that prompted the People's Coalition for the Sahel to select an indicator of zero tolerance for abuses committed by the defence and security forces and the militias operating alongside them.

WHAT NEEDS TO CHANGE?

To break the cycle of impunity, the People's Coalition for the Sahel recommends:

To the governments of Burkina Faso, Mali and Niger:

- Adopt a national zero tolerance policy on human rights and IHL violations against civilians by defence and security forces and militias, and implement the policy through an effective legal framework.
- Publicly and systematically condemn acts of violence against civilians, including conflict-related sexual violence, committed by defence and security forces and militias.
- Immediately commence impartial, independent investigations into allegations of human rights violations by all actors, including defence and security forces and militias; publish regular progress reports on the stages that these investigations have reached; and ensure that fair trials are held.
- Immediately grant administrative leave to members of defence and security forces suspected of having committed crimes against civilians, pending the conclusion of investigations.
- Effectively disband and disarm self-defence militias that have been found guilty of violations of human rights and IHL.
- Implement protection measures, in particular legal assistance, for witnesses and survivors, as well as human rights defenders.

BASELINE

No trials of Burkinabé, Malian or Nigerien soldiers or militia leaders accused of abuses have taken place as of the publication date of this report.

SOURCE

Public statements by Sahelian governments and their partners; reports by OHCHR, MINUSMA, the International Commission of Inquiry for Mali, national and international civil society organisations and, in particular, human rights organisations.

MEASURES OF SUCCESS

Conclusion of impartial, independent investigations and commencement of first trials for soldiers and militia leaders, especially concerning the massacres at Inatès (Niger), Djibo (Burkina Faso) and Ogossagou (Mali), by October 2021.

WHAT NEEDS TO CHANGE?

To international partners:

- Publicly and systematically condemn acts of violence against the civilians committed by defence and security forces and community militias, not just abuses perpetrated by armed groups.
- Acknowledge that impunity by perpetrators weakens confidence in the state and boosts recruitment by armed groups.
- Impose conditionalities tied to respect for human rights and IHL by defence and security forces in the pursuit of security partnerships.

INDICATOR 8: Boosting the capacity and resources of justice systems

CURRENT SITUATION

Acknowledgement should be made of the modest efforts made by states to improve access to justice and to combat impunity, despite the constraints caused by the weakness of institutions and limited budgetary resources in a general context of deteriorating security.

Mali, Burkina Faso and Niger all have specialist antiterrorist judicial units, which, despite their limited resources, are carrying out investigations into hundreds of cases, some of which have been tried, such as the attacks on a hotel and bar in Bamako in 2015 that killed 25.[108] The jurisdiction of the specialist unit in Mali was extended to cover war crimes, genocide and crimes against humanity, which has allowed it to investigate atrocities committed by militias, in particular the Ogossagou massacres[109] (see above).

Provost marshals (responsible for ensuring discipline and detainees' rights) started to be deployed as part of the three countries' armed forces and the G5 Sahel Joint Force to uphold respect for international law in military operations and to discourage abuse, especially when interrogating suspects. However, until they are given more powers – as proposed by international partners – their impact remains limited.[110]

Mali established a Truth, Justice and Reconciliation Commission in 2014. To date, the role of this transitional justice body has remained strictly limited to gathering the testimony of victims and witnesses of human rights violations, arranging public hearings (the Commission had only organised two by the publication date of this report) and drafting a reparations policy.

National human rights commissions (NHRCs) provide a helpful tool in combating impunity, although their effectiveness varies from country to country. The longest-established NHRC is that of Niger. It managed to complete an exhaustive investigation into the Inatès massacres.[111] Its unprecedented report boosted the credibility of the commission, whose members were subjected to enormous pressure by the executive following the publication of its conclusions incriminating the country's defence and security forces.[112] The Malian NHRC, whose legal and institutional status was legally reinforced in 2016, has investigated some abuses and has published several statements, but so far it has not investigated abuses committed by security forces.[113]

Despite the modest advances made by states in the region, one of the main challenges in the fight against impunity remains the lack of independence of the judiciary and the primacy accorded to military justice in proceedings against members of the defence and security forces. In Mali, for example, the Military Justice Code stipulates that no prosecution may take place unless it has been expressly undertaken by the Ministry of the Armed Forces, otherwise, it would be declared null and void by the Supreme Court.[114] The judiciary is therefore largely subordinate to the executive, and more specifically to the military hierarchy, which represents a serious problem for independence and impartiality. Furthermore, the military justice system is desperately short of resources.

More broadly, the region's judicial bodies lack both financial independence and adequate logistical or forensic capacity to effectively investigate abuses committed by soldiers or militia, or to judge their perpetrators fairly. They often depend on the defence and security forces for gaining access to sites where atrocities were committed, and they are unable to guarantee the protection or safety of witnesses.

INDICATOR 8: Boosting the capacity and resources of justice systems

Given this context, the parliaments of Burkina Faso, Mali and Niger should exercise their constitutional duty of holding the executive to account more rigorously, using all means at their disposal to combat impunity, including setting up committees of inquiry into abuses committed by members of defence and security forces, challenging governments when they seek to minimise the extent of human rights violations, and drawing up budgets, especially for the justice system.

Shortcomings in the justice systems in the Sahel are one cause of the impunity that has fuelled the violence in the region. Unable to access a justice system in which they can have confidence, a growing number of communities are turning towards other methods of conflict resolution, which has further undermined the legitimacy of state institutions and the rule of law, at the same time boosting recruitment by armed groups. It was to help re-establish public confidence in justice systems that the People's Coalition identified the need to boost the capacity and resources of the justice systems in the region as a key indicator for implementing a new approach in the Sahel.

WHAT NEEDS TO CHANGE?

To restore the confidence of the people of the Sahel in their countries' justice systems and to break the cycle of impunity, the **People's Coalition for the Sahel** recommends:

To the governments of Burkina Faso, Mali and Niger:

- Adequately equip and staff Ministries of Justice to enable local prosecutors and judicial police officers to effectively investigate and fairly prosecute those responsible for serious abuses on all sides (including members of defence and security forces and of community militia groups), taking gender into account.
- Increase support for forensic capacity so that judicial officials can deploy quickly to crime scenes and have the capacity to collect, analyse and safely store scientific evidence, including from ballistics, fingerprints, dental records, autopsies, and other physical evidence.
- Increase funding for and capacities of military justice directorates mandated to investigate allegations of abuses by defence and security forces.
- Support efforts to improve command and control of frontline units, including by ensuring that provost marshals are present in all military operations, and that measures are taken to prevent retaliatory killings after deaths of soldiers during attacks by armed groups.
- Support the creation and training of liaisons for victims to facilitate greater contact and coordination between victims from all communities and the judiciary, ensuring that women are among those selected.
- Guarantee the protection and safety of victims and witnesses of abuse to encourage them to participate in investigations and trials.
- Strengthen the capacity and resources of national human rights commissions so that they can lead effective inquiries on abuses committed by all actors, including defence and security forces and community militias, with complete independence.
- Encourage the establishment of parliamentary investigative committees to look into accusations of abuses by members of defence and security forces; allow parliamentarians to exercise their right to hold the executive to account in the context of combating impunity.

To international partners:

- Prioritise technical and financial support dedicated to strengthening the capacity and resources of justice systems in the region to enable governments of the Sahel to implement the above recommendations.

SOURCE

National budgets; volume of aid

MEASURES OF SUCCESS

20% increase in Sahelian state budgets for the justice system, with a measurable increase in international aid for the justice sector between now and April 2022.

RECOMMENDATIONS

INDICATOR 1: NUMBER OF ATTACKS AGAINST CIVILIANS

To fulfil the objectives on the number of attacks against civilians, the **People's Coalition for the Sahel** recommends:

To governments in the Sahel and their international partners:

- Put the protection of the civilian population and civilian property at the heart of military operations and national security strategies, with specific protections for the most vulnerable people, including women and children.
- Acknowledge all civilian victims of the conflict on all sides, irrespective of the perpetrators and of the context, in official communications.
- Ensure that reliable data is collected on armed violence resulting in civilian injury and death – disaggregated by age, gender and disability – as well as the impact of violent acts on civilian facilities and infrastructure.
- Prevent, mitigate and respond to harm caused to civilians during military operations carried out by all actors in the Sahel (see Indicator 2) to deliver positive outcomes for the civilian population (e.g. a reduction in violence against civilians; access to care for victims of all forms of violence, including gender-based violence; conditions enabling displaced persons to return to their homes in a safe, voluntary and well-informed manner; the reopening of schools or health centres; or the setting up of basic services), rather than just a tally of the number of fighters eliminated.
- Set up parliamentary committees in the three countries of the central Sahel that exercise oversight over national government policy and practice to protect civilians, in consultation with civil society organisations, including women's organisations, to assess the progress governments have made.

BASELINE

1,096 attacks and 2,443 civilians killed in Burkina Faso, Mali and Niger in 2020, equating to a monthly average of 91 attacks and 203 deaths. Most deaths across the three countries are attributable to the defence and security forces. There is little reliable data available on the number of civilians injured.

SOURCE

ACLED data

MEASURES OF SUCCESS

- 50% drop in attacks on civilians committed by members of defence and security forces by October 2021.
- 20% drop in attacks committed by so-called self-defence militias by October 2021.

RECOMMENDATIONS

INDICATOR 2: MECHANISMS WITHIN DEFENCE AND SECURITY FORCES FOR MONITORING CIVILIAN HARM

To fulfil these civilian protection objectives, the **People's Coalition for the Sahel** recommends:

To the armies of Burkina Faso, Mali and Niger:

- Put in place mechanisms for monitoring civilian harm, like those of CITAC for the G5 Sahel Joint Task Force, so that training on IHL and the law of armed conflict, as well as mitigation strategies for the harm done to civilians in connection with the presence, activities and military operations of the national armies, can be formalised within the practices of these armies. These mechanisms should be evaluated regularly to assess their effectiveness.
- Strengthen communication, collaboration, and accountability to civilian populations, through institutionalisation of training programs in non-violent conflict management for defence and security forces, and through the establishment of civil-military consultation mechanisms at the local level which leverage civilian protection priorities.
- Adopt compensation mechanisms for incidents involving civilians in the conduct of military operations (including civilians affected indirectly) to help rebuild trust between local populations and defence and security forces, and to help civilians pursue their lives despite the difficult circumstances.

To international forces such as MINUSMA, Operation Barkhane, the Takuba Task Force and EUTM:

- Set a good example by sharing best practices on civilian protection, especially in relation to transparency, community engagement as well as gender and age sensitivity approaches.
- More systematically encourage and support the establishment of mitigation mechanisms among Sahelian military partners for harm caused to civilians.

BASELINE

There is only one civilian harm tracking mechanism in the Sahel, set up in January 2021 by the G5 Sahel Joint Force.

SOURCE

Communications from senior military in the region; reports from NGOs.

MEASURES OF SUCCESS

Commitment by national armies of the Sahel to adopt two new mechanisms by April 2022.

RECOMMENDATIONS

INDICATOR 3: DIALOGUE WITH ALL ACTORS IN THE CRISIS

To strengthen political dialogue, the **People's Coalition for the Sahel** recommends:

To the governments of Mali, Burkina Faso and Niger:

- Declare support for political dialogue and conflict resolution through negotiation at the local and national levels.
- Set out a coherent framework to improve coordination between different local initiatives, with greater synergy between the various actors involved, so that they can contribute to a comprehensive settlement.
- Promote inclusive political dialogue, taking more account of the challenges and needs of local actors, especially women and youth, ensuring their participation in the decision-making process and creating dedicated spaces for gathering their suggestions, in line with the Women, Peace and Security and the Youth, Peace and Security agendas.
- Assess, learn and share lessons from regional initiatives undertaken, especially those that have facilitated progress, for example by setting up institutions in Mali and Burkina Faso similar to the HACP in Niger, operating under their national presidencies with strong political and institutional ties.

To the African Union:

- Grant MISAHÉL a renewed and expanded mandate, with support for a negotiated approach in the Sahel along the lines of its continental “Silencing the Guns” initiative, and in particular by supporting improved coordination between different local peace initiatives, in direct collaboration with G5 Sahel and the national bodies tasked with reconciliation and peace consolidation.

To international partners:

- Provide clear support to political projects devised and led by the states of the Sahel to resolve conflicts through dialogue with all parties to the conflict and with all types of civil society organisations, at national as well as local levels.

BASELINE

Lack of coordinated approach between local dialogue initiatives.

SOURCE

Mapping of conflict resolution initiatives in the Mopti and Ségou regions, carried out for this report by ASSN.

MEASURES OF SUCCESS

Adoption by the states of the Sahel of coherent frameworks for local peace initiatives so that they can work towards a comprehensive political settlement of the crisis.

RECOMMENDATIONS

INDICATOR 4: TRANSPARENCY IN DEFENCE BUDGETS

To improve transparency in the defence budgets of Burkina Faso, Mali and Niger and thus contribute to better governance, the **People's Coalition for the Sahel** recommends:

To the governments of the Sahel:

- Commit to transparent, responsible management of defence budgets through the application of basic public expenditure management principles.
- Significantly strengthen resources of the armed forces inspectorates in Burkina Faso, Mali and Niger, and that of independent external auditors to enable them to continue to fulfil their vital mission of auditing public accounts.
- Establish responsibility for embezzlement in the defence sector by allowing impartial and independent judicial investigations to be concluded and by punishing proven offenders.

To international partners taking part in military cooperation programmes with the countries of the Sahel:

- Make delivery of cooperation programmes conditional on implementation of transparent, responsible management of defence budgets, including past misappropriation of public funds.

BASELINE	SOURCE	MEASURES OF SUCCESS
Misappropriation of several hundred million euros of funds in defence sectors in Mali, Burkina Faso and Niger, with no accountability on the part of the alleged perpetrators.	Reports by the Auditor General of Mali and the Courts of Auditors of Burkina Faso and Niger; audits and reports by the General Inspectorate of the Armed Forces for the Defence Ministry in Niger; reports and statements by civil society organisations involved in the fight against corruption.	Conclusion of impartial, independent investigations and commencement of trial proceedings in the three countries by October 2021.

RECOMMENDATIONS

INDICATOR 5: HUMANITARIAN FUNDING THAT IS COMMENSURATE, ON TIME AND RESPONSIVE TO NEED

To ensure humanitarian funding is sufficient, timely and adequate, **the People's Coalition for the Sahel recommends:**

To donors:

- Ensure HRPs are funded at least 80% by October 2021.
- Fund essential emergency sectors in an equitable manner so that, by October, no essential sector is funded less than 40%.
- Ensure that, by October 2021, at least half of humanitarian funding is directly channelled through NGOs, with 25% going directly to national and local NGOs in the form of flexible, multiannual funding, governed by simplified procedures.
- Mobilise different instruments of development assistance in a coherent, coordinated and locally appropriate manner, including strengthening support for conflict prevention, mediation, and peacebuilding, notably by investing in development while ensuring that immediate humanitarian needs are met.

To humanitarian coordination teams:

- Publish HRPs based on quality needs assessments, including an intersectional gender analysis, ensuring that more than 80% of identified needs are targeted in each essential sector and that funds are allocated in proportion to priority needs.
- Publish a progress report on the humanitarian response every three months standardised across Burkina Faso, Mali and Niger, covering the funding obtained per sector and allocated to international, national and local NGOs; the number of targeted persons reached; identification of gaps and challenges, and analysis of their impact on local populations.
- Strengthen coordination and transparency between humanitarian, development, and peacebuilding organisations, ensuring that development activity is conflict-sensitive and appropriate in the context of a protracted crisis.
- Facilitate women's participation in humanitarian coordination, ensuring that women's organisations have access to funding, so that aid can better meet the specific needs of different groups thus reducing the risk of unintended adverse consequences.

RECOMMENDATIONS

INDICATOR 5: HUMANITARIAN FUNDING THAT IS COMMENSURATE, ON TIME AND RESPONSIVE TO NEED

BASELINE	SOURCE	MEASURES OF SUCCESS
The 2020 humanitarian response plans were 48% funded in Mali, 60% in Burkina Faso and 61% in Niger.	Financial Tracking Service (FTS), reports by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and HRPs.	HRPs are at least 60% funded by the middle of the year, 80% by the end of September and 100% by year end.

RECOMMENDATIONS

INDICATOR 6: ENSURING HUMANITARIAN ACCESS

To facilitate humanitarian access to people in need and effective coordination between humanitarian actors and defence and security forces, the **People's Coalition for the Sahel** recommends:

- Strengthened civil-military coordination by October 2021, as measured by CMCoord events taking place at least monthly at national and decentralised levels, with participation at the requisite level of decision-making (colonel or higher at the central level).
- An agreement and commitment by all military and humanitarian actors in Burkina Faso, Mali and Niger to respect clear guidelines, suitable for the local context, including on:
 - Respect for the humanitarian mandate and principles and the clear distinction between humanitarian and military actors.
 - Acceptance on the part of the civilian and military authorities and donor states that it is possible for humanitarians to negotiate humanitarian access with all parties to the conflict, as clearly distinct from peace negotiations.
 - Consider the use of armed escorts for humanitarian actors only as a last resort and under exceptional circumstances, respecting the neutrality of humanitarian actors and avoiding any form of assimilation.
 - An agreement on which sectors should be the focus of quick impact projects (QIPs and CIMICs) led by the military.
- Commitment to ensure counter-terrorism policies and legislation enacted by states in the region do not negatively impact humanitarian assistance, including through application of humanitarian exemption measures as necessary.

BASELINE

Regular civil-military coordination (CMCoord) meetings held at the national and local levels in Burkina Faso, Mali, and Niger.

SOURCE

Humanitarian Coordinator in each of the three countries.

MEASURES OF SUCCESS

CMCoord held at national and local levels at least once a month by October 2021.

RECOMMENDATIONS

INDICATOR 7: ZERO TOLERANCE OF ABUSES BY DEFENCE AND SECURITY FORCES

To break the cycle of impunity, the **People's Coalition for the Sahel** recommends:

To the governments of Burkina Faso, Mali and Niger:

- Adopt a national zero tolerance policy on human rights and IHL violations against civilians by defence and security forces and militias, and implement the policy through an effective legal framework.
- Publicly and systematically condemn acts of violence against civilians, including conflict-related sexual violence, committed by defence and security forces and militias.
- Immediately commence impartial, independent investigations into allegations of human rights violations by all actors, including defence and security forces and militias; publish regular progress reports on the stages that these investigations have reached; and ensure that fair trials are held.
- Immediately grant administrative leave to members of defence and security forces suspected of having committed crimes against civilians, pending the conclusion of investigations.
- Effectively disband and disarm self-defence militias that have been found guilty of violations of human rights and IHL.
- Implement protection measures, in particular legal assistance, for witnesses and survivors, as well as human rights defenders.

To international partners:

- Publicly and systematically condemn acts of violence against civilians committed by defence and security forces and community militias, not just abuses perpetrated by armed groups.
- Acknowledge that impunity for perpetrators weakens confidence in the state and boosts recruitment by armed groups.
- Impose conditionalities tied to respect for human rights and IHL on the part of defence and security forces, in the pursuit of security partnerships.

RECOMMENDATIONS

INDICATOR 7: ZERO TOLERANCE OF ABUSES BY DEFENCE AND SECURITY FORCES

BASELINE	SOURCE	MEASURES OF SUCCESS
No trials of Burkinabé, Malian or Nigerien soldiers or militia leaders accused of abuses have taken place as of the publication date of this report.	Public statements by Sahelian governments and their partners; reports by OHCHR, MINUSMA, the International Commission of Inquiry for Mali, national and international civil society organisations and, in particular, human rights organisations.	Conclusion of impartial, independent investigations and commencement of first trials for soldiers and militia leaders, especially concerning the massacres at Inatès (Niger), Djibo (Burkina Faso) and Ogossagou (Mali), by October 2021.

RECOMMENDATIONS

INDICATOR 8: BOOSTING THE CAPACITY AND RESOURCES OF JUSTICE SYSTEMS

To restore the confidence of the people of the Sahel in their countries' justice systems and to break the cycle of impunity, the **People's Coalition for the Sahel** recommends:

To the governments of Burkina Faso, Mali and Niger:

- Adequately equip and staff the Ministries of Justice to enable local prosecutors and judicial police officers to effectively investigate and fairly prosecute those responsible for serious abuses on all sides (including members of defence and security forces, and of community militia groups), taking gender into account.
- Increase support for forensic capacity so that judicial officials can deploy quickly to crime scenes and have the capacity to collect, analyse and safely store scientific evidence, including from ballistics, fingerprints, dental records, autopsies, and other physical evidence.
- Increase funding for and capacities of military justice directorates mandated to investigate allegations of abuses by defence and security forces.
- Support efforts to improve command and control of frontline units, including by ensuring that provost marshals are present in all military operations, and that measures are taken to prevent retaliatory killings after deaths of soldiers during attacks by armed groups.
- Support the creation and training of liaisons for victims to facilitate greater contact and coordination between victims from all communities and the judiciary, ensuring that women are among those selected.
- Guarantee the protection and safety of victims and witnesses of abuse to encourage them to participate in investigations and trials.
- Strengthen the capacity and resources of national human rights commissions so that they can lead effective inquiries on abuses committed by all actors, including defence and security forces and community militias, with complete independence.
- Encourage the establishment of parliamentary investigative committees to look into accusations of abuses by members of defence and security forces; allow parliamentarians to exercise their right to hold the executive to account in the context of combating impunity.

To international partners:

- Prioritise technical and financial support dedicated to strengthening the capacity and resources of justice systems in the region to enable governments of the Sahel to implement the above recommendations.

RECOMMENDATIONS

INDICATOR 8: BOOSTING THE CAPACITY AND RESOURCES OF JUSTICE SYSTEMS

SOURCE	MEASURES OF SUCCESS
National budgets; volume of aid	20% increase in Sahelian state budgets for the justice system, with a measurable increase in international aid for the justice sector between now and April 2022.

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89. Humanitarian action is based on four principles: (1) **Humanity**, which dictates that the objective of humanitarian action is to alleviate human suffering, wherever it occurs, with particular attention to the most vulnerable; (2) **Neutrality**, which states that humanitarian actors do not take sides in conflicts or favour one side or the other; (3) **Impartiality**, which states that humanitarian action is provided on the basis of need alone, without discrimination of any kind; and (4) **Independence**, which means that humanitarian objectives must be detached from any other objective or interest, be it economic, political, military, or other.

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