

The Sahel: What Has Changed

Progress Report of the People's Coalition for the Sahel

June 2022



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. In April 2021, it presented a series of recommendations for implementing this renewed response in the report "The Sahel: What Needs To Change - Towards a New People-Centred Approach".

To learn more about the People's Coalition for the Sahel go to: <https://www.sahelpeoplescoalition.org>.

List of organisations supporting this report:

Sahelian Civil Society Organisations

Burkina Faso

- Association Nodde Nooto (A2N)
- Association pour la Promotion Féminine de Gaoua (APFG)
- Centre pour la Gouvernance Démocratique au Burkina Faso (CGD)
- Collectif contre l'Impunité et la Stigmatisation des Communautés (CISC)
- Mouvement Burkinabè des Droits de l'Homme et des Peuples (MBDHP)
- Organisation pour de Nouvelles Initiatives en Développement et Santé (ONIDS)
- Union Fraternelle des Croyants de Dori (UFC-Dori)
- West Africa Network for Peacebuilding (WANEP - Burkina Faso)

Mali

- Action Mopti
- Association des Juristes Maliennes (AJM)
- Association Malienne des Droits de l'Homme (AMDH)
- Coordination des Associations des Femmes de l'Azawad (CAFA)
- DONIBLOG
- Eveil
- Institut Malien de Recherche Action pour la Paix (IMRAP)
- Observatoire Citoyen sur la Gouvernance et la Sécurité pour le Sahel (OCGS)
- Women in Law and Development (WiLDAF)

Niger

- Association Nigérienne de Défense des Droits de l'Homme (ANDDH)
- Agir au Sahel
- Alliance pour la Paix et la Sécurité (APAISE-Niger)
- Réseau Nigérien pour la Gestion Non Violente des Conflits (RE-GENO-VICO)
- 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
- Institute for Security Studies (ISS)
- Observatoire Kisal
- Réseau de Réflexion Stratégique sur la Sécurité au Sahel (2R3S)
- Wathi, Think Tank citoyen de l'Afrique de l'Ouest

International Organisations which support the People's Coalition

- CARE International
- CCFD-Terre Solidaire
- Center for Civilians in Conflict (CIVIC)
- Cordaid
- Fédération internationale des droits humains (FIDH)
- Fokus Sahel
- Global Centre for the Responsibility to Protect (GCR2P)
- Human Rights Watch (HRW)
- Humanité & Inclusion – Handicap International (HI)
- Médecins du Monde (MDM)
- Norwegian Refugee Council (NRC)
- Oxfam International
- Plan International
- Première Urgence Internationale (PUI)
- Saferworld
- Save the Children
- Search for Common Ground (SFCG)
- Secours Islamique France
- SOS Faim Luxembourg
- Terre des Hommes Lausanne

Research for the report conducted by:



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Executive Summary

The People's Coalition for the Sahel was created in July 2020 in response to the widespread insecurity in Mali and Burkina Faso and with a view to radically transforming the approach to the resolution of the political crisis in West Africa, where a military response to the crisis had been endorsed by governments for too long.

The dozens of West African and Sahelian civil society organisations that constitute the membership of the People's Coalition for the Sahel presented in its April 2021 report '**The Sahel: What Needs To Change**', a clear road map for a new approach based on four priorities. These '**People's Pillars**' consist of the protection of civilians, governance, humanitarian crises, and the fight against impunity. Specific indicators were identified to ensure the assessment of progress and accompanied by concrete recommendations.

A little more than a year later, this progress report 'The Sahel: What Has Changed' assesses progress against the same indicators and proposes solutions to address the challenges of implementation that are exacerbated by widespread insecurity and profound institutional, political, social and humanitarian crises that have been tearing apart the Central Sahel and spreading throughout the sub-region.

Since April 2021, the Central Sahel has experienced many upheavals. A transitional government has replaced another one in Mali. The elected president was overthrown in Burkina Faso. A major redistribution of international presence is underway, characterized by the redeployment of the French Barkhane and European Takuba forces from Mali to Niger in particular, the suspension of European Union training missions and the diversification of international partnerships in the field of defence, illustrated by Mali's recourse to Russian military personnel. At the same time, new commitments were made by the Sahelian states on the protection of civilians, respect for fundamental rights, and the fight against impunity.

Nonetheless, it is pertinent to ask the question '**What has changed for the people of the region?**'. The "civil surge", announced at the N'Djamena summit in February 2021, ought to have led to the strengthening of the rule of law, a more effective fight against corruption and impunity, and more transparent and inclusive governance. Has this 'civil surge' led to a decrease in the number of lives lost, an inversion of the curve of gender-based violence, the return home of millions of people who fled insecurity, less anxiety about the next meal, and better access to justice for victims? The answer, unfortunately, is not a resounding 'yes' as Sahelians are entitled to expect.

With this progress report, the People's Coalition for the Sahel:

1. **Analyses what has changed for civilians since 2020**, the reference period of the first report "The Sahel: What Needs to Change", based on reliable data.
2. **Measures progress on each of the eight benchmark indicators identified as critical to implement a new response to the crisis** that will more effectively protect civilians.
3. **Formulates updated recommendations** for Sahelian policy-makers and their international partners.

The report reveals a number of advances since 2020, towards an approach that is increasingly focused on the needs of the population, particularly in terms of political dialogue and the fight against impunity. However, the military approach continues to be prioritised in Mali, Burkina Faso and Niger, where there have been intensified operations to "neutralize terrorists", to the detriment of necessary investments in peacebuilding, the provision of basic services, access to justice and the strengthening of governance.

The pursuit of military- and security-first strategies is failing to protect civilian populations effectively, who continue to lose their lives, their homes, their livelihoods, and their schools, in large numbers. The spiral of violence further undermines the people's confidence in the state and the fragile social cohesion of countries whose vulnerability is accentuated by climate change and a surge in global grain prices following the war in Ukraine. The long list of massacres of civilians attributed to multiple armed actors, for whom justice has still not been done, should sound an alarm for action to implement the recommendations of the People's Coalition for the Sahel.

The Sahel: What Has Changed

Main findings of the progress report¹

Protection of civilians (People's Pillar #1)



Every day, an average of 8 civilians were killed between April 2021 and March 2022 in the three countries of the Central Sahel (Mali, Burkina Faso, Niger).



The number of civilians killed by so-called extremist armed groups has doubled in a year, despite the intensification of military operations by authorities in all three countries.



Deaths of unarmed civilians attributed to members of the Defence and Security Forces (FDS) fell by 71% in 2021, before rising dramatically in all three countries in early 2022.

Humanitarian emergencies (People's Pillar #3)



The number of refugees and internally displaced people in the Central Sahel increased by 35% between 2020 and 2022. Nearly 10 million people are threatened with food insecurity (+61% compared to June-August 2021).



At the end of 2021, humanitarian needs for Burkina Faso, Mali and Niger (estimated at \$1.7 billion) were only 43% funded, compared to 61% at the end of 2020 (for needs estimated at \$1.4 billion).



National and local NGOs received only 0.4% of humanitarian funding in 2021, far from the 25% target set in 2016 to promote the localisation of aid to bring humanitarian responses closer to affected populations.

Political strategy and governance (People's Pillar #2)



Negotiation and dialogue as a political solution to the crisis are increasingly being seriously considered as complementary, if not inseparable, options to armed intervention.



The fight against corruption has been prioritised by authorities of all three countries of the Central Sahel, and investigations into the embezzlement of funds in the defence sector have progressed. However, the risk of instrumentalisation of judicial proceedings has been noted in all three countries.

Combating impunity (People's Pillar #4)



Several symbolic judicial steps have been taken since April 2021 to advance accountability for crimes committed against civilian populations in the Sahel. However, access to justice for victims of serious human rights violations remains hampered by the lack of human, material, and financial resources, and by a lack of political will.



Impunity for serious violations perpetrated by the defence and security forces (FDS) prevails, (particularly in Burkina Faso where the status granted to special forces created in 2021 guarantees them total immunity), undermining people's confidence in their institutions.

ACKNOWLEDGEMENTS

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Please note: this report is a translation of the original french language report available here: <https://www.sahelpeoplescoalition.org/rapport-de-suivi2022->



This report is dedicated to the memory of Victor Ouedraogo (1985-2022), director of the Diocesan Communication Center in Ouahigouya, Burkina Faso, and a founding member of the People's Coalition for the Sahel.

MAIN RECOMMENDATIONS

The lessons of this progress report once again demonstrate the urgent need to adopt a new approach to the resolution of the crisis in the Sahel, in the face of the failure of existing strategies implemented by governments to better protect civilian populations. While this long-standing observation by civil society is increasingly shared by decision-makers, this recognition has not yet translated into the adoption of new practices. To help Sahelian governments and their international supporters move from words to actions, the People's Coalition for the Sahel presents a series of updated recommendations to implement a more effective response focused on people's needs.

Thus, among its recommendations, the People's Coalition for the Sahel:

Protection Of Civilians

- Reiterates its call to all actors present in the Sahel to place the protection of civilians and civilian property at the heart of their operations and national security strategies - with particular attention to the most vulnerable groups, especially children and women.
- Calls for the integration, from the planning phase of military operations, of precise objectives of expected positive impact on civilian populations. The impact of military operations should not only be measured through the counting of "neutralized" combatants.

Humanitarian Emergencies

- Calls on international donors to fund at least 80% of humanitarian response plans by December 2022, without diverting attention from other crises; and to focus on the localisation of aid by ensuring that, by December 2022, at least 25% of humanitarian funding goes directly to national and local NGOs and associations in the form of flexible, multi-year funding with simplified procedures.
- Encourages all actors present in the Sahel to continue to strengthen civil-military coordination mechanisms; enable humanitarians to negotiate access with all parties to the conflict; ensure that counter-terrorism policies and legislation do not have a negative impact on humanitarian aid and space; and provide for humanitarian exemption measures where they are necessary.

Political Dialogue

- Starting from the observation that a purely military response is doomed to failure, encourages the governments of the Central Sahel to continue to support local conflict resolution initiatives by adopting a coherent national framework, so that local agreements serve as a basis for the comprehensive settlement of conflicts, in line with the African Union's "Silencing the Guns" initiative, helping to integrate them into a regional approach in close collaboration with ECOWAS.
- Calls on international partners not to hinder political projects for conflict resolution through dialogue formulated and led by Sahelian states, when these efforts are part of inclusive approaches integrating multiple actors.

Zero Impunity

- Encourages actors in the Sahel to publicly acknowledge that impunity for perpetrators of abuses undermines trust in the state and encourages recruitment by armed groups.
- Calls on Sahelian authorities to translate into action the declared desire to combat impunity by speeding up the conclusion of investigations into the most emblematic massacres, in particular those of Inatès (Niger), Djibo (Burkina Faso) and Ogossagou (Mali).
- Calls on Burkinabé authorities to revise article 10 of the statute of the special forces to bring it into conformity with the country's international obligations and commitments to combat impunity.
- Calls for the transparency of agreements governing the deployment of foreign forces, and the status of forces, in order to establish accountability for serious violations against civilian populations.

This progress report is therefore a roadmap proposed by Sahelian civil society with the aim of engaging in a constructive dialogue with national authorities, international partners and multilateral institutions (including the African Union and ECOWAS) in order to ensure that the protection of civilians becomes a main priority of interventions in the Sahel, an essential condition for restoring confidence in the state and stabilising the region.

Methodology

In April 2021, the People’s Coalition for the Sahel called for a new approach to the resolution of the crisis in the region by presenting, in their report ‘The Sahel: What Needs To Change’, a series of concrete recommendations to be implemented based on specific indicators and measurable data.

In this report, produced a year later, the People’s Coalition measures progress against each of the benchmark indicators and provides updated recommendations for Sahelian decision-makers and their international partners.

The report focuses on the three countries hardest hit by the crisis in the Sahel: Burkina Faso, Mali and Niger. Unless otherwise indicated, the data cited relates only to these three countries in the Central Sahel.

This progress report is based on original research and data collection² conducted by the African Security Sector Network (ASSN), the Malian Association for Human Rights (AMDH), the Nigerien Association for the Defence of Human Rights (ANDDH) – for Pillars 1 to 4 –, the Global Centre for the Responsibility to Protect (GCR2P) – for Pillar 1 –, Norwegian Refugee Council (NRC) and Oxfam – for Pillar 3. It was developed and finalised owing to the contributions and revisions of all the members of the People’s Coalition.

The research and interviews conducted by the members of the People’s Coalition took place in a worrying context of shrinking civic space in each of the three countries of the Central Sahel, against a backdrop of insecurity, which has made it more difficult to access sources.

The terminology in this report distinguishes between so-called "extremist" groups (presented by some actors as "terrorist groups", "jihadists" or "Islamist armed groups"), so-called community-based self-defence groups, as well as a third category of unidentified armed groups, sometimes also referred to as criminal groups.

The civilian casualty figures for Pillar 1 are partly based on data from ACLED (The Armed Conflict Location and Event Data Project), collected according to a methodology for collecting data from the field subject to verification mechanisms to triangulate, cross-check and verify the information transmitted³.

The report is presented in four sections corresponding to the four People’s Pillars: protection of civilians; a political strategy that addresses the root causes of the crisis; humanitarian emergency; combating impunity. It reports on the changes observed between 2020 and 2022 for each of the eight indicators selected in the first report published in April 2021. These indicators are intended to guide government action towards a specific area of intervention considered crucial to operationalise the new people-centred

The eight indicators are:

1. Number of attacks against civilians (*People’s Pillar 1*)
2. Mechanisms, within the defence and security forces, for monitoring civilian harm (*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 that is commensurate, on time and responsive to need (*People’s Pillar 3*)
6. Ensuring humanitarian access (*People’s Pillar 3*)
7. Zero tolerance of abuses by defence and security forces (*People’s Pillar 4*)
8. Strengthening the capacities and resources of the justice system (*People’s Pillar 4*)

LIST OF ACRONYMS

ACLED	The Armed Conflict Location & Event Data Project
BSIAT	Brigade spéciale des investigations anti terroristes du Burkina Faso
ECOWAS/CEDEAO	Economic Community of West African States (Communauté économique des États de l’Afrique de l’Ouest)
CIMIC	Civil Military Cooperation (Interventions civiles menées par les militaires)
CMCoord	Civil-Military Coordination (Réunions de la coordination civilo-militaire)
NHRC/CNDH	National Human Rights Commission (Les Commissions nationales des droits de l’Homme)
IHL	International Humanitarian Law
WASH	Water Sanitation and Hygiene
EUCAP Sahel Mali	European Capacity Building Mission in Mali
EUTM	European Union Training Mission in Mali
FAMa	Forces armées maliennes (Malian armed forces)
FC-G5 Sahel	G5-Sahel Joint Force (Group of 5 Sahel States including Mauritania, Mali, Burkina Faso, Niger and Chad)
FDS	Defence and Security Forces (Forces de défense et de sécurité, in French)
NSAG/GANE	Non-state armed group (Groupe armée non-étatique)

OHCHR	Office of the High Commissioner for Human Rights
MINUSMA	United Nations Multidimensional Integrated Stabilization Mission in Mali (Mission multidimensionnelle intégrée des Nations Unies pour la stabilisation au Mali)
MISAD/CITAC	Mechanism for identification, monitoring and analysis of civilian casualties (Mécanisme d’identification, de suivi et d’analyse des dommages aux civils)
OCHA	United Nations Office for the Coordination of Humanitarian Affairs (Bureau de la coordination des affaires humanitaires des Nations Unies)
NGO	Non-governmental organisation
UN	United Nations
PJS	Judicial unit specialised in the fight against terrorism and transnational organised crime (Pôle judiciaire spécialisé dans la répression des actes de terrorisme)
UNDP	United Nations Development Programme
QIPs	Quick Impact Projects
SOP	Standard Operating Procedures
GBV	Gender-based violence
VDP	Volunteers for the Defence of the Fatherland (Volontaires pour la défense de la patrie in French, Burkina Faso)

1.

PUTTING THE PROTECTION OF CIVILIANS AT THE

INDICATOR 1: NUMBER OF ATTACKS AGAINST CIVILIANS

WHAT HAS CHANGED BETWEEN 2020 AND 2022

PEOPLE'S Pillar N° 1

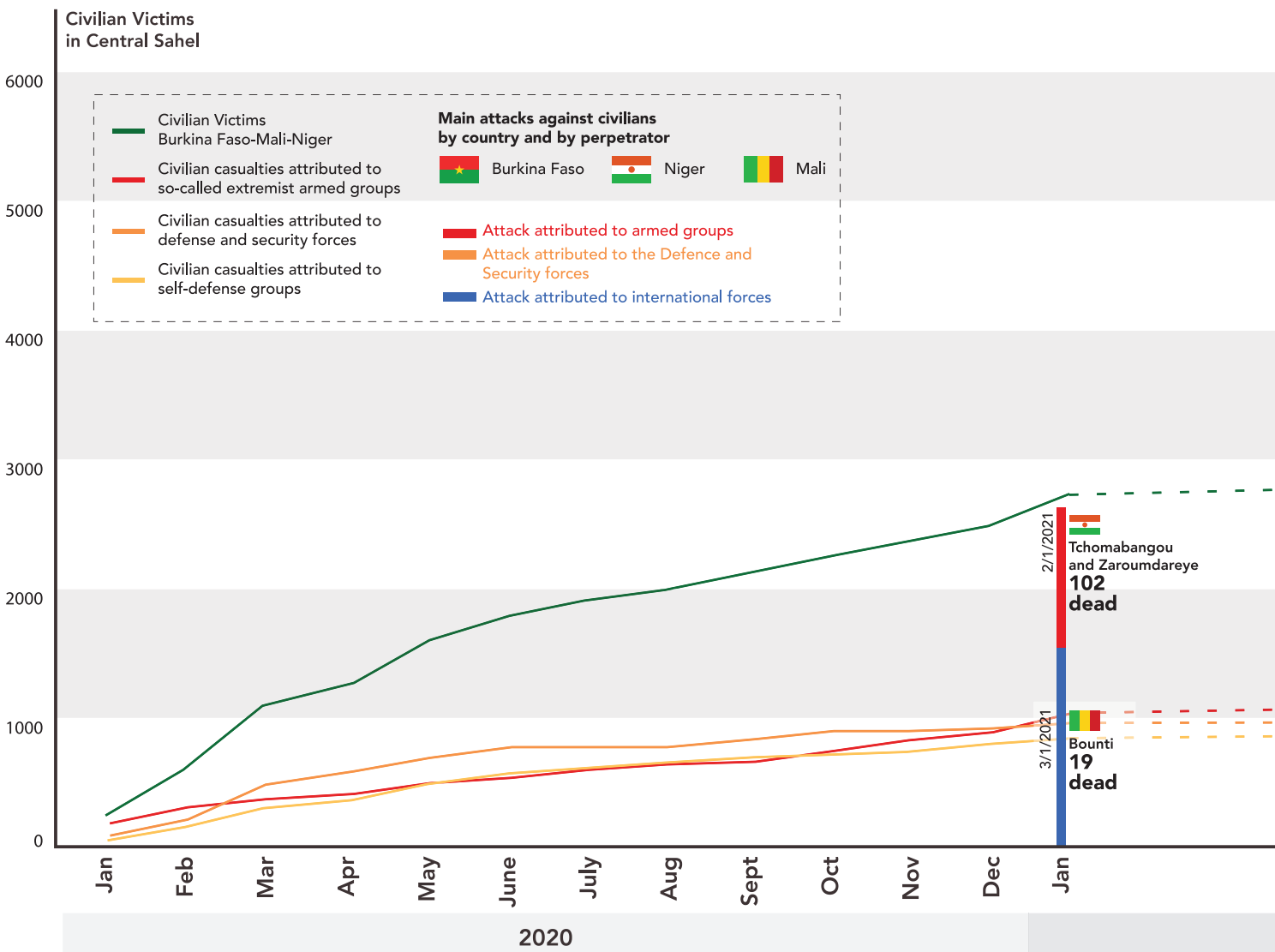
Make the protection of civilians and human security the strategic priority of any intervention in the Sahel.

This Pillar involves prioritising objectives and actions aimed at ensuring better protection for Sahelian populations (including the most vulnerable groups, such as children, women, people with disabilities, minorities, displaced people or refugees, suspects or detainees), by preventing and reducing their exposure to violence and abuses committed by different actors. The protection of civilians is understood here as all efforts undertaken to protect populations from conflict-related harm⁴.

Methodology Note

The number of victims of violence in the Sahel and attacks against civilians is based on data collected by ACLED (The Armed Conflict Location & Event Data Project)⁵, updated on 1 April 2022. Unless otherwise indicated, the data compares two reference periods: January-December 2020 (used in the report "The Sahel: What Needs to Change") and April 2021-March 2022 (since the publication of the first report).

Civilian victims by perpetrator and main attacks in Burkina Faso, Mali and Niger
Graphical representation based on data collected by ACLED, last updated 1 April 2022.



VIOLENCE AGAINST CIVILIANS

8 deaths per day

Every day, an average of 8 civilians were killed between April 2021 and March 2022 in the Central Sahel.

- 2901 civilians were killed in Mali, Niger and Burkina Faso during this period, an 18% increase compared to 2020⁶. By way of comparison, the Defence and Security Forces (FDS) also paid a very heavy price, with 1514 members

killed in operations in the same period (+37% compared to 2020) - so there were twice as many civilian casualties.

- Each month, there was an average of 76 attacks against civilians⁷ and 242 civilian deaths in the three Central Sahel countries.

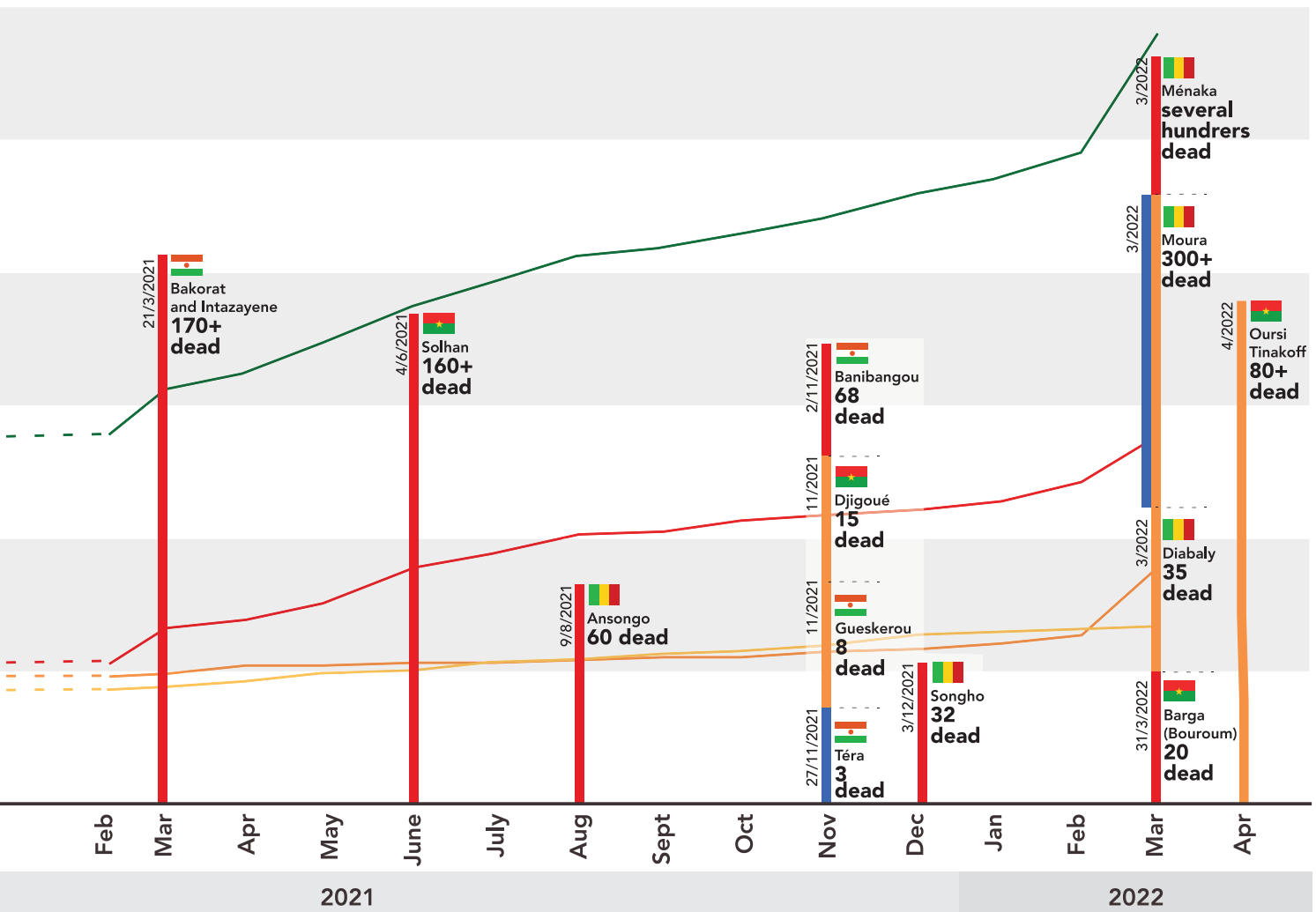
- In Mali, cases of gender-based violence (GBV) reported by the Gender-Based Violence Information System (GBVIMS) went up 44% between 2020 and 2021⁸. 98% of survivors are female, and 51% are girls under the age of 18. The

majority of GBV reported is sexual violence (39%), including a quarter of rape, mostly committed during population displacement, water collection or searching for fuel around IDP sites.

- In Mali, where the phenomenon is better documented than in Burkina Faso and Niger, grave violations against children increased by 57% in the first quarter of 2022, according to the UN. The increase is due in particular to the recruitment and use of children by armed groups. 14 cases of rape and 1 case of abduction for sexual purposes were also recorded,

attributed to non-state armed groups (13 cases) and Malian forces (2 cases)⁹.

- The conflict has reinforced gender inequalities with respect to child marriage: in 2021, the proportion of 20-24 year olds married before the age of 18 was 0% among men compared to 53.4% among women, according to a study by the Spotlight Initiative¹⁰.



+98%

Civilians killed by armed groups



The number of civilians killed in attacks attributed to so-called extremist armed groups has almost doubled since 2020. Armed groups were responsible for 58% of civilian deaths between April 2021 and March 2022, as opposed to 35% in 2020.

- The trend is particularly marked in Mali (+133%) – an increase largely due to clashes between armed groups in March 2022 in the Ménaka region – and in Niger (+133%) where armed groups, which have long targeted mainly the FDS, changed their strategy in 2021, resulting in more frequent attacks on civilian populations, their livelihoods and civilian infrastructure (theft of livestock and vehicles, attacks on schools and health centres, destruction of granaries and communication networks).
- The period was characterized by a series of mass killings by armed groups (see chart) that caused large-scale forced displacement (see humanitarian Pillar 3).

Niger

- **Tchomabangou and Zaroumdareye, 2 January 2021:** 102 civilians killed.
- **Bakorat and Intazayene, 21 March 2021:** At least 170 people (including 22 children) were executed in these Tuareg localities in the deadliest attack on civilians in Niger's recent history, according to Human Rights Watch¹¹.
- **Banibangou, 2 November 2021:** The mayor of the commune was killed along with 68 other people during a patrol by the commune's 'vigilance committee'¹².

Mali

- **Ansongo, 9 August 2021:** 60 civilians were killed in simultaneous attacks on the four localities. Houses were set on fire and cattle looted¹³.
- **Songho, 3 December 2021:** 32 civilians, including at least 6 children, were killed in the bus that took them to the Bandiagara market, some burned alive in the charred vehicle¹⁴.
- **Ménaka, March 2022:** Several hundred civilians, mainly from the Douassahak and Fulani communities, were killed in clashes between armed groups in the regions of **Ménaka and Gao**, a remote tri-border area straddling Niger and Burkina Faso, causing the displacement of nearly 20,000 people¹⁵.

Burkina Faso

- **Solhan, 4 June 2021:** More than 160 civilians, including 20 children, were killed by heavily armed unidentified men in one of the country's deadliest attacks¹⁶. On 3 July, thousands of people demonstrated in Ouagadougou against insecurity¹⁷.
- **Barga (Bouroum), 31 March 2022 :** 20 civilians were killed, including women and children, during a night attack on the Kugdiguin gold mining site, preceded by the destruction of mobile phone antennas¹⁸.

-11%

Civilians killed by defence and security forces



Deaths of unarmed civilians attributed to members of the FDS fell by 71% in 2021, before rising dramatically in all three countries in early 2022. Between April 2021-March 2022, there was only an 11% decrease compared to 2020 figures.

- Despite a downward trend in FDS abuses, owing in part to the mobilisation of civil society through citizen monitoring and human rights awareness-raising activities, military forces deployed in the region are suspected of being responsible for 27% of civilian deaths between April 2021 and March 2022 (compared to 35% in 2020).
- This progress falls short of the recommendations of the People's Coalition for the Sahel, which in April 2021 called for a reduction of at least 50% in attacks against civilians by the FDS by October 2021.

The following is a non-exhaustive list of the most significant allegations of violations attributed to members of the security forces, domestic or foreign, since January 2021.

Mali

- **Bounti, 3 January 2021:** 22 people including 19 civilians were killed in airstrikes on a wedding, according to a MINUSMA investigation¹⁹. The French army claimed to have targeted "an armed terrorist group identified as such."²⁰
- **Diabaly, March 2022:** 35 charred bodies of unarmed civilians or suspects were found in the Ségou region. Witnesses interviewed by Human Rights Watch said they were tortured by Malian soldiers and "white soldiers who spoke a language [...we've] never heard."²¹The Chief of Staff of Mali's armed forces and MINUSMA have each announced the opening of investigations. The Malian government denounced a "media bludgeoning" to "discredit the valiant" Malian armed forces and announced the definitive suspension of RFI and France 24 for having broadcast the allegations.

- **Moura, March 2022:** The Malian army announced the "neutralization" of 203 "terrorists"²² during a large-scale military operation conducted with foreign allied soldiers. Several hundred civilians and suspects were reportedly killed, according to testimonies collected by Malian and international human rights organizations²³. The military justice system announced the opening of an investigation²⁴ welcomed by the People's Coalition²⁵, which also called for an independent investigation; however, MINUSMA was not permitted access to the scene to investigate, which was deplored by the UN human rights office²⁶.

 **Burkina Faso**

- **Djigoué, November 2021:** Security forces were suspected of being responsible, sometimes in collaboration with so-called self-defence groups ("Volunteers for the Defence of the Fatherland"), for the extrajudicial execution of 15 men²⁷. No official reaction has been recorded.

- **Oursi, Tinakoff, April 2022:** According to local sources, at least 80 men, including a centenarian and two children, were reportedly shot dead during military operations conducted by the Burkinabé army²⁸. The Ministry of Defence announced investigations into these allegations presented as "the antithesis of military goals" which aim "primarily at the protection of populations" and said that Burkina Faso has "made respect for human rights one of the major axes" of its counter-terrorism strategy²⁹.

 **Niger**

- **Gueskerou, November 2021:** According to local sources, the army was suspected of having abducted and executed 8 civilians³⁰. There has been no official reaction to these allegations.

- **Téra, 27 November 2021:** At least 3 civilians were killed on the sidelines of a demonstration against a French military convoy, victims of gunfire attributed to the French army. Nigerien President Mohamed Bazoum announced the opening of an investigation and "demanded that the French authorities open an investigation with a view to punishing those who were guilty of reprehensible acts"³¹, which the French Minister of the Armed Forces Florence Parly refused, stating that an internal investigation had already been conducted and that the reaction of the French soldiers had been "adequate"³².

-49%
Civilians killed by self-defence groups



Le nombre de civils tués dans des attaques attribuées à des groupes dits d'autodéfense a baissé de 49% depuis 2020.

Ces progrès répondent aux recommandations de la Coalition citoyenne pour le Sahel, qui demandait, en avril 2021, une baisse d'au moins 20% des attaques contre les civils par les groupes d'autodéfense d'ici octobre 2021. Ils peuvent s'expliquer en partie par la reprise de contrôle de certaines localités par les FDS au Mali ou par une structuration de ces groupes au sein des Volontaires pour la défense de la patrie au Burkina Faso, ou encore par des lacunes dans la documentation des exactions. À l'inverse de la tendance régionale, le Niger a vu une augmentation de 185% de décès de civils imputables aux groupes d'autodéfense.

SELF-DEFENCE GROUPS: THE NIGERIEN EXCEPTION?

Niger, which until now has been relatively untouched by attacks linked to self-defence groups, has experienced a recent expansion of these groups due to the exasperation of part of the population with the state's inability to protect civilians effectively. The emergence of community-based militias is another testament to the erosion of the social fabric and contributes to the stigmatisation of certain communities.

Mali, the first country to confront this phenomenon, has allowed militias to proliferate by tolerating or even encouraging them indirectly. Burkina Faso has chosen to go further by providing them with logistical support and giving them a legal existence through the creation, in January 2021, of the Volunteers for the Defence of the Fatherland (VDP), which are now officially considered auxiliaries of the FDS³³. The Nigerien government, on the other hand, continues to be very reserved towards self-defence groups, refusing to give them a legal existence, without openly banning them. "We tolerate the possession of weapons for self-defence but not to take justice into our own hands" a security source told AFP.³⁴ "The experiences of Burkina Faso and Mali have shown that the situation can get out of control. We are walking on a tightrope."

This relative firmness was welcomed by the United Nations High Commissioner for Human Rights, Michelle Bachelet, during a visit to Niamey in December 2021³⁵. Created to address insecurity in the face of state failures, self-defence groups have in fact often contributed to fuelling the cycle of violence, either because they have committed abuses against civilians in other communities or because they themselves have become the target of armed groups.

PROTECTION OF CIVILIANS IN THE "FIGHT AGAINST TERRORISM"



More systematic references to the objective of protecting civilians are noted in the communications of all actors present in the Sahel but, in practice, little progress has been made to integrate this objective effectively at the heart of security strategies.

- Presently, all the actors present in the Sahel recognize, owing in part to advocacy by the People's Coalition, **the failure of the response to the security crisis in the Sahel** as it has been carried out over the past ten years.
 - For the first time, the protection of civilians is explicitly recognized as the priority objective of the "fight against terrorist groups", as well as the improvement of the security situation. This is reflected in the roadmap adopted in March 2021, in the wake of the N'Djamena summit, by the Coalition for the Sahel, which brings together Sahelian states and their international partners³⁶.
 - One year later, ministers of the member countries of this international Coalition adopted the main messages of the People's Coalition, recalling "the importance of the protection of civilians and the fight against impunity" and declaring that "only a comprehensive approach that addresses the causes of instability [...] can provide a relevant and sustainable response to the region's challenges."³⁷
 - In February 2022, President Emmanuel Macron announced an evolution of the French presence in the Sahel and pledged to "put civilians more at the heart of [its] strategy"³⁸.



*"He told me that I was going to be whipped 17 times. I bowed to him and while he was whipping me, another one was counting the blows."*⁴⁸

Testimony of Dame Oumou, driven from her village by armed groups in Burkina Faso, quoted by the *Burkinabé daily Sidwaya*.

- Efforts by national and international FDS on how they **communicate** the results of their military operations have been noted:
 - The Malian armed forces Chief of Staff systematically communicates on respect of human rights and international humanitarian law and assures that "the protection and security of populations and property remain a priority in the conduct of operations"³⁹.
 - The armed forces of Niger and Burkina Faso, for example, indicated in a December 2021 press kit on the joint operation "Taanli 2" to have "reassured the populations"⁴⁰.
 - The French Barkhane force indicated that on February 7, 2022 they conducted an operation against an "armed terrorist group" in northern Burkina Faso "to protect the population" and "deplores the death of 4 civilians [...] despite all the measures taken" during the operation⁴¹.
 - The multiplication of communiqués from Military Chiefs of Staff is also part of a **broader information war** waging on social networks by various actors present in the Sahel to impose a narrative, at the risk of disinformation⁴².
- Despite brief references to the protection of the population, the bulk of these communications consist of identifying the number of "neutralized terrorists" and identifying the weapons and means of communication seized. Military Chiefs of Staff or political actors too rarely measure the success of their policies to combat insecurity in terms of the **positive impact on civilian populations**, as recommended by the People's Coalition for the Sahel in April 2021: decrease in violence against civilians; access to care for victims of all forms of violence, including gender-based violence; conditions for safe, voluntary and informed returns of displaced persons; reopening of a school or health centre; facilitated access to fields or pastures; access to basic services, etc.⁴³ Several **measures taken in the name of the "fight against terrorism"** have had significant negative consequences on civilian populations. These include the imposition of a state of emergency, the ban on motorcycle traffic⁴⁴, the closure of gas stations and money transfer agencies in Niger, and the suspension of mobile internet in Burkina Faso – none of which have put an end to abuses against civilians. The authorities have not sufficiently heeded the repeated warnings of civil society organisations about the disproportionate impact of these measures on the population.
- Finally, the spread of insecurity beyond the Sahel has led to an increased risk of **stigmatisation of certain communities** already observed in Burkina Faso, Mali and Niger. "It is the Peuhl populations of Burkina Faso who are making incursions into Côte d'Ivoire," the Ivorian Minister of Defence publicly declared in December 2021 to explain the attacks in the north of his country, to almost general indifference⁴⁵. In February 2022, the People's Coalition for the Sahel called on African and European leaders to not "repeat the mistakes that led to the current impasse" in the Sahel.⁴⁷

HOW TO IMPROVE THE SITUATION

To protect civilian populations more effectively against insecurity, the People’s Coalition for the Sahel makes the following **recommendations**:

To Sahelian authorities and their international partners:

- Place the protection of civilians and civilian property at the heart of military operations and national security strategies, with particular attention to the most vulnerable groups, especially children and women.
- Ensure reliable data is collected on the impact of armed violence on civilian injuries and deaths, disaggregated by age, gender and disability; as well as the impact of armed violence on civilian objects and infrastructure.
- Integrate, from the planning phase of military operations, specific objectives of expected positive impact on civilian populations (reduction of violence; creation of conditions for safe, voluntary and informed returns of displaced persons; reopening of a school or health centre; access to care for the victims of violence, including gender-based violence; access to basic social services, etc.). The impact of military operations should not only be measured through counting "neutralized" combatants.
- Safeguard social cohesion by punishing any comments or actions that seek to stigmatise particular communities, as well as targeted attacks on specific communities. Ensure that local initiatives, including military operations, take into account the value of ensuring social cohesion among communities. FDS alliances with so-called self-defence groups must be sensitive to local community dynamics.
- Establish a parliamentary commission in the parliaments of the three Central Sahel countries dedicated to the protection of civilians, in consultation with civil society including women-led organisations, to assess progress made by governments.

2021 Baseline

916 attacks and 2901 civilians were killed between March 2021 and March 2022 in Burkina Faso, Mali and Niger, representing an average of 76 attacks and 242 deaths per month. 58% of civilian deaths are attributable to extremist groups, 27% to the defence and security forces and 10% to so-called self-defence groups across the three countries. There is insufficient reliable data on injured civilians.

Source

ACLED data, UN and NGO reports

Success Measures

- 50% decrease in civilian deaths attributed to members of the defence and security forces by June 2023.
- 20% drop in civilian deaths attributed to so-called self-defence militias by June 2023

INDICATOR 2: CIVILIAN HARM MONITORING MECHANISMS

WHAT HAS CHANGED BETWEEN 2020 AND 2022



- Since April 2021, none of the forces present in the Sahel has established a new mechanism for monitoring civilian harm on the model of the Civilian Incident Tracking and Analysis Cell (CITAC -MISAD in French) of the G5 Sahel Joint Force (FC-G5S), composed of contingents from the various Sahelian countries.
- An innovative initiative launched in January 2021 to set up internal monitoring and investigation tools to anticipate and respond to incidents during military operations, CITAC enabled a rapid response after Chadian members of the joint force raped at least 3 women, including an 11-year-old girl in Téra, Niger in April 2021. The soldiers were immediately repatriated and the Chadian authorities announced that they would be subjected to disciplinary sanctions with the opening of a criminal investigation. FC-G5S announced victim assistance and a "zero tolerance" policy for human rights violations including sexual violence⁴⁹.
- However, CITAC, which has suffered from the very weak operational capacity of the FC-G5S⁵⁰ and more generally from the G5 Sahel political paralysis, has not had the expected ripple effect on the national armies. This is due to a lack of political will on the part of the national authorities, who have not adopted a comprehensive strategy for the protection of civilians. Moreover, the lack of reliable data on harm to civilians makes it impossible to measure the consequences and thus to take measures to prevent and mitigate its effects.
- Several thousand FDS members from the three countries continued to benefit from multiple trainings on respect for international humanitarian law and human rights (including child protection and awareness of conflict-related sexual violence), provided with the support of bilateral and multilateral⁵¹ partners and civil society organisations. These trainings will only result in the better protection of civilians if there is political will to effectively integrate IHL (International Humanitarian Law) and human rights into the planning and conduct of military operations. The establishment within the FDS of a culture of accountability, contrary to the culture of impunity that prevails today, is also essential to hinder abusive behaviour and thus better protect civilians (see Pillar 4, indicator 7).

HOW TO IMPROVE THE SITUATION

To fulfil these civilian protection objectives, the People's Coalition for the Sahel makes the following recommendations:

To the militaries of Burkina Faso, Mali and Niger:

- Adopt compensation mechanisms for incidents involving civilians in the conduct of military operations (including indirectly affected civilians) in order to help restore trust between populations and the defence and security forces, and enable civilians to move forward with their lives despite the dramatic circumstances.
- Ensure an understanding, at all levels of the chain of command, of the responsibilities of the defence and security forces and their role in protecting civilians and monitoring harm to civilians caused by their operations.
- Establish civilian harm monitoring mechanisms, similar to the G5 Sahel Joint Force's CITAC, to formalise into internal practice trainings in compliance with IHL and the laws of war as well as strategies to mitigate civilian harm in the course of military presence, activities, and operations⁵². Once established, institute regular evaluations to ensure effectiveness.
- Integrate a human rights-based approach within national armies by developing and implementing national policies to prevent and mitigate harm to civilians and civilian property. The protection of the most vulnerable people must be prioritised by assessing the vulnerabilities of groups most at risk (displaced, children, minority groups).
- Strengthen communication, collaboration and accountability to civilian populations, in particular through the establishment of training programmes in non-violent conflict management for FDS as well as consultation mechanisms between civilian populations and FDS at the local level to take the protection priorities expressed by the populations into account.
- Strengthen internal control mechanisms in the FDS.
- Enable the National Human Rights Commissions, as guarantors of the rule of law, to fully exercise, in complete independence, their role of monitoring defence and security forces.

2021 Baseline

There is only one civilian harm-monitoring mechanism established in January 2021 by the G5 Sahel Joint Force.

Source

Communication from the Army Chief of Staffs of the deployed forces; reports by non-governmental organizations.

Success Measures

Commitment by national armies of the Sahel to adopt two new mechanisms by June 2023.

To international forces in the Sahel:

- Ensure the integration of best practices for the protection of civilians, including transparency, community engagement and consideration of gender and age-based approaches.
- More systematically encourage and support the establishment of mechanisms to mitigate harm to civilians within the Sahelian armies.
- Establish a security partnership risk assessment system to ensure that assistance provided by international partners (training, provision of equipment) does not contribute to serious human rights violations in the Sahel⁵³.
- Ensure that cooperation agreements related to "counter-terrorism" include specific clauses defining human rights standards, such as the UN Human Rights Due Diligence Policy⁵⁴.

2. SUPPORTING POLITICAL STRATEGIES TO RESOLVE THE GOVERNANCE CRISIS IN THE SAHEL

INDICATOR 3: DIALOGUE WITH ALL ACTORS IN THE CONFLICT

WHAT HAS CHANGED BETWEEN 2020 AND 2022

In Burkina Faso, Mali and Niger, the authorities have clearly reaffirmed their prioritization of a military approach to address the endemic insecurity and the spread of so-called extremist groups, by strengthening the capacities of their defence and security forces and intensifying military operations⁵⁵. However, negotiation and dialogue as a political solution to the crisis are increasingly being seriously considered as a complementary, if not inseparable, approach to armed intervention.



 **Mali**

- The head of government of the first phase of the transition, Moctar Ouane, presented himself as an ardent defender of talks with the leaders of armed groups⁵⁶, saying that they were "in line with the will of the Malian people"⁵⁷, disagreeing with France - who opposed such dialogue⁵⁸.
- The action plan presented in July 2021 by the new Prime Minister Chogel Kokalla Maïga provides for "the organization of good offices missions as part of the revival of dialogue with Malian radical groups"⁵⁹. On October 19, 2021, the Minister of Religious Affairs, Mamadou Koné, said he had entrusted these missions to the High Islamic Council of Mali⁶⁰; this was denied three days later by a government statement⁶¹. In addition, no recommendation on dialogue with armed groups was made by the Assises nationales de la refondation (National conference on refoundation) held in December 2021.
- While previous negotiations between community leaders, insurgents and militias have led to several local ceasefires (whose impact has in fact often been very limited, such as the Niono Agreement), no major progress has so far led to high-level negotiations, deplores International Crisis Group, which nevertheless believes that "the option of dialogue deserves to be explored despite many obstacles"⁶².

PEOPLE'S Pillar N°2

Design comprehensive policy strategies to address the root causes of insecurity, particularly in terms of governance.

This second People's Pillar calls for the devotion of more efforts to improving governance across the region – focusing primarily on promoting the transparent management of resources allocated to defence budgets – while actively encouraging political dialogue and involving civil society.



"The best thing for the government to do is to stop fighting and start a dialogue. Leaders should involve religious leaders, and of course include us."

Community leader involved in mediation efforts in central Mali, quoted by *The New Humanitarian*. Photo: Ollivier Girard, Source : CARE Niger.⁷¹



 **Burkina Faso**

- As in neighbouring Mali, some communities have attempted or been forced to engage in local dialogue with armed groups in the face of the upsurge in attacks throughout 2021. But "without state support and without a coherent national plan for negotiations, these local efforts are just a stopgap measure to buy time and provide temporarily relief," notes *The New Humanitarian*⁶³.
- Shortly after the overthrow of President-elect Roch-Marc Christian Kaboré, his successor Lieutenant-Colonel Paul-Henri Sandaogo Damiba opened dialogue by addressing his "brothers who have lost their way". "The stabilization of Faso will not only be achieved through fighting alone," he declared on 1st April, announcing the creation of "Local Dialogue Committees for the Restoration of Peace whose mission is to approach the members of groups who have broken off their dialogue with the nation"⁶⁴. The Minister of Social Cohesion and National Reconciliation, Yéro Boly specifies that it is not the State that will negotiate with armed groups but local actors⁶⁵. However, a "National Coordination of Local Dialogue Committees" was set up on 13th April 2022 in the Council of Ministers to provide a framework for local peace initiatives.
- It is still too early to measure the effects of this announcement and guarantees of protection will have to be provided by the State to community leaders who engage in local committees to prevent them from becoming the target of populations or armed groups. However, the initiative is in line with the recommendations of the People's Coalition, which recommended in its April 2021 report, the adoption by the Sahelian States of coherent frameworks for local peace initiatives so that they can contribute to a comprehensive political settlement of the crisis⁶⁶.



- Elected in February 2021, Nigerien President Mohamed Bazoum has begun the most important opening dialogue with armed groups, particularly in the Tillabéri region (West), since the breakdown of peace talks in 2017⁶⁷.
- As in Burkina Faso, this new approach is based on the recognition of the limits of the security response and targets young Nigeriens enlisted in the ranks of extremist groups, in this case the Islamic State in the Greater Sahara (ISGS). Mohamed Bazoum authorized the release of "suspected terrorists" whom he assures "did not have hands stained with the blood of Nigerien soldiers or civilians"⁶⁸, and received them at the presidential palace.

Emissaries (local elected officials, traditional and religious leaders, close to "jihadists") were also sent to "katiba leaders"⁶⁹, in a move that can be compared to the establishment of "local dialogue committees" in Burkina Faso, although in Niger, this dialogue seems to be managed directly at the presidential level.

- It is too early to assess the impact on insecurity levels of the new approach adopted by the Nigerien authorities, but it seems to go in the direction advocated by the People's Coalition to add an essential political component to the security response.
- The government also encouraged political dialogue by seeking parliamentary authorization, on April 22, 2022, for the deployment of new foreign troops to Niger after the departure of the Barkhane and Takuba from Mali. The debates were a rare exercise in democratic transparency on security partnerships, although the outcome of the vote was not in doubt given the government's comfortable majority in the National Assembly⁷⁰.

HOW TO IMPROVE THE SITUATION

In order to strengthen the political dialogue, the People's Coalition for the Sahel makes the following **recommendations**:

To the governments of Burkina Faso, Mali and Niger:

- Translate public statements on the need for political dialogue in addition to the military response to stabilize the region, into tangible actions to resolve conflicts through negotiation at the local and national levels to better protect civilian populations.
- Continue the policy of support for local conflict resolution initiatives initiated in Niger and Burkina Faso, giving them a coherent national framework so that local agreements serve as a basis for comprehensive conflict resolution.
- Provide guarantees of protection to community leaders engaged in dialogue with armed groups.
- To remove obstacles to dialogue with armed groups,⁷² ensure that its modalities and the themes likely to be discussed have been defined ahead in an inclusive manner, through broad consultations including governmental and decentralized authorities, customary authorities, civil society organizations, grassroots community organizations. The participation of women and young people must be facilitated by the creation of dedicated spaces to collect their proposals, in line with the "women peace and security" and "youth peace and security" agendas.
- Place national policy dialogue initiatives within a concerted regional framework to take into account the transnational nature of armed violence; and learn from dialogue initiatives already underway in the Central Sahel or beyond, such as Mauritania's experience of engaging traditional and religious leaders in countering violent extremism through dialogue⁷³.

To the African Union:

- Entrust the African Union Mission for Mali and the Sahel (MISAHEL) with the mission of accompanying and supporting the efforts of the Sahelian States towards negotiated solutions to the crisis, in line with the continental initiative "Silencing the guns", by helping to integrate them into a regional approach, in close collaboration with ECOWAS and national institutions in charge of reconciliation and peacebuilding.

To the international partners:

- Avoid hindering, and on the contrary support, the political projects of conflict resolution through dialogue with all parties to the conflicts formulated and carried out by the Sahelian States, both at national and local level, if these efforts are part of inclusive approaches integrating multiple actors.

2021 Baseline

Openings for political dialogue with armed groups in the three countries of Central Sahel, symbolized in Niger, through the release of alleged members of armed groups and in Burkina Faso, through the establishment of "Local Dialogue Committees for the Restoration of Peace".

Source

Statements by the authorities; NGO reports; ACLED data on insecurity in the Sahel.

Success Measures

Measurable decrease in attacks on civilians by June 2023 as a result of political dialogue with armed groups.

INDICATOR 4: TRANSPARENCY IN DEFENCE BUDGETS

WHAT HAS CHANGED BETWEEN 2020 AND 2022

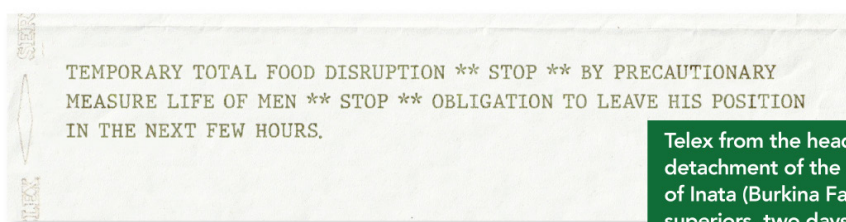
The misappropriations in the defence and security sector observed in the three countries of Central Sahel have been identified by the People's Coalition for the Sahel as emblematic of the deep crisis of governance in the region, which feeds the perception by the populations of a state more predatory than protective. In this context, the challenge is not only to restore the state's capacities and redeploy its services throughout the Sahelian territories, but to rebuild its legitimacy.

A number of advances have been made on the transparency front in the management of resources allocated to the defence and security sector since the publication of the report "Sahel: what needs to change" in April 2021. The fight against corruption has been prioritized by the authorities of the three Central Sahel countries, investigations into embezzlement have progressed, the role of independent administrative control authorities has been reaffirmed and audits have been announced. However, the risk of instrumentalization of judicial proceedings has been noted in all three countries.



 **Mali**

- The fight against corruption was presented as one of the four priorities of the Malian government in July 2021 by the new Prime Minister Choguel Maïga, who advocates "a governance of disruption and exemplarity"⁷⁴.
- In April 2022, the authorities announced that they had "recovered several tens of billions of CFA francs", following the audit of the Military Orientation and Programming Law (LOMP) announced in September 2021 by Colonel Assimi Goïta, president of the transition. Adopted in 2015 at the initiative of former President Ibrahim Boubakar Keita and with a budget of 1,230 billion CFA francs over 5 years, this law has given rise to overbilling and other embezzlement by more than 100 economic operators responsible for the supply of military equipment, food products, hydrocarbons and services. Threatened with legal proceedings by the Public Prosecutor of the Economic and Financial Pole of Bamako, some of them preferred to reimburse the embezzled sums⁷⁵.
- On August 26, 2021, former Defence Minister Soumeylou Boubèye Maïga was placed under arrest by the Supreme Court of Mali as part of the investigation into the embezzlement of nearly 11 billion CFA francs during the purchase of a presidential aircraft and other military equipment, revealed in 2014 by the Office of the Auditor General, independent administrative authority responsible for evaluating public policies. Welcomed by some public opinion, this arrest has also raised concerns about a possible instrumentalization of the fight against corruption to exclude political opponents⁷⁶. His death in a private clinic in Bamako on 21 March 2022, after a deterioration in his state of health and requests for medical evacuation remained unanswered, caused an outcry⁷⁷.



Telex from the head of the detachment of the gendarmerie of Inata (Burkina Faso) to his superiors, two days before the attack that killed 53 people on November 13, 2021.⁷⁸



 **Niger**

- Nigerien President Mohamed Bazoum believes he has done more than any of his predecessors in the fight against corruption. "About thirty senior state officials, guilty of embezzlement or misappropriation, are currently languishing in prison and will remain there for a long time," he said in April 2022, a year after his swearing-in⁷⁸.
- In December 2021, the Nigerien State waived its right to file a civil suit⁷⁹ in the case of the embezzlement of funds from the Ministry of Defence, revealed in February 2020 by an audit of the General Inspectorate of the Armed Forces, which led to the abandonment of the charges. Faced with the reactions of protests from civil society and the political opposition, the government justified its decision by the fact that the State had recovered the 12 billion CFA francs embezzled (amount initially estimated at 76 billion and then revised downwards) and assured that the criminal aspect of the proceedings was still ongoing⁸⁰. "There will, of course, be legal consequences for all those incriminated," said President Mohamed Bazoum⁸¹.
- Meanwhile, journalist Moussa Aksar, director of the newspaper L'Événement du Niger, faces a fine of 500,000 CFA francs for mentioning the names of senior officials involved in this case of embezzlement. The Norbert Zongo Unit for Investigative Journalism in West Africa (CENOZO) calls for his release and denounces a "trial that amounts to harassment and intimidation"⁸².



 **Burkina Faso**

- As soon as Roch Christian Kaboré was overthrown, Lieutenant-Colonel Pierre-Henri Sandaogo Damiba, president of the Patriotic Movement for The Safeguarding and Restoration, promised to fight corruption. During his swearing-in, he requested a general audit of the public administration⁸³.
- In April 2022, the Comptroller General of State, announced the launch "very soon" of the audit of the Ministries of Defence and Security⁸⁴, requested by several civil society organizations, including the National Anti-Corruption Network (REN-LAC)⁸⁵ and the Collective against Impunity and Stigmatization of Communities (CISC)⁸⁶.
- The results of the investigation ordered by former President Kaboré after the attack on the Inata post, which claimed the lives of 49 gendarmes (military police) short of food in November 2021, have still not been made public. This attack revealed serious deficiencies in the chain of command, which affected the emergency execution of the expenses of the Ministries of Defence and Security⁸⁷.

HOW TO IMPROVE THE SITUATION

To achieve more transparency in the management of defence budgets in Burkina Faso, Mali and Niger and thus contribute to better governance, the People's Coalition for the Sahel makes the following **recommendations**:

To the Sahelian governments:

- Allow the judiciary to establish responsibility for the misappropriations in the defence sector impartially and independently, and if necessary to sanction proven offenders.
- Strictly apply the internationally recognized principles of public expenditure management to the defence and security sector, namely: discipline, transparency, accountability, predictability and contestability.
- Promote democratic control of defence budgets and spending. The imperative of confidentiality which applies to this area but which cannot in any way be confused with the notion of "secrecy" cannot justify the lack of oversight of the security sector by Parliaments or by the independent bodies responsible for monitoring expenditure.

The necessary confidentiality does not imply the absence of democratic accountability and implies the establishment of appropriate authorisation systems and procedures for consultation with the legislative sphere and other supervisory bodies.

- Increase the resources of the internal inspection services of the armies of Burkina Faso, Mali and Niger.
- Implement the banking of the payment of salaries of the armed forces to minimize the risk of misappropriation and ensure better transparency in the management of budgets.

To international partners engaged in military cooperation programs with Sahelian countries:

- Provide the technical and financial assistance required for the establishment of mechanisms to ensure greater transparency in defence budgets (e.g. the banking of the payment of salaries of the armed forces).
- Make all assistance in the field of defence and security conditional on the transparent management of defence budgets and suspend it in the absence of judicial treatment of embezzlement in these sectors⁸⁹.

2021 Baseline

Embezzlement of funds amounting to several hundred million euros in the defence sector in Mali, Burkina Faso and Niger, without the main perpetrators being held accountable.

Source

Reports of the Auditor General (Mali) and the Courts of Auditors of Burkina Faso and Niger; audits and reports of the general inspectorates of the armed forces of the Ministry of Defence in Niger; reports and communiqués of civil society organisations working on the fight against corruption.

Success Measures

Repayment of misappropriated funds and conclusion of impartial and independent investigations and opening of trials in the three countries by June 2023.

3. RESPONDING TO HUMANITARIAN EMERGENCIES

HUMANITARIAN SITUATION: WHAT HAS CHANGED

Humanitarian changes observed in the three Central Sahel countries (Burkina Faso, Mali, Niger) between late 2020 and early 2022, since the publication of the report "Sahel: what needs to change" in April 2021.



↑35%

The number of **refugees and internally displaced** people increased by 35%, reaching 2.8 million people in early 2022⁹⁰. Burkina Faso alone had more than 1.8 million displaced people as of March 31, 2022 (including 53% women and 52% children under the age of 15⁹¹), up 61% in one year, including 160,000 new cases in January 2022 alone⁹². A large proportion of displaced women say they have experienced violence⁹³.



↑62%

9.6 million people are at risk of being in a **food crisis** during the lean season (June–August 2022), or 14% of the 68 million inhabitants of Central Sahel⁹⁵. This is an increase of more than 62% compared to June–August 2021, due in particular to the rapid deterioration of the situation in Niger (+140% in one year)⁹⁶. The current situation can be compared to the previous large-scale crises of 2011–2012 and 1983–1984.

PEOPLE'S Pillar N°3

Responding to humanitarian emergencies

Beyond the chronic underfunding of humanitarian aid in the Sahelian space, it is necessary to design a comprehensive response plan that also allows humanitarian aid to reach the people who need it most and populations to access basic social services.



14.7M

14.7 million people⁹⁴ are in need of **urgent humanitarian assistance**, or nearly 20% of the population of the three countries, on the increase since the end of 2020.



↑3x

The number of **schools closed** due to violence has tripled in 3 years. 5,000 schools are no longer operational today, more than half of them in Burkina Faso, depriving nearly a million children of education⁹⁷.



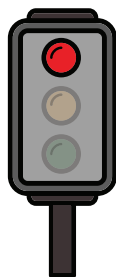
↑64%

The number of **health centres closed** mainly due to violence increased by 64% in Burkina Faso between the end of 2020 (91)⁹⁸ and the end of 2021 (149)⁹⁹. The number of people affected doubled from 964,000 to 1.84 million.

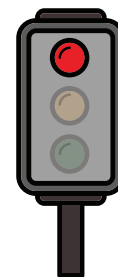
INDICATOR 5: HUMANITARIAN FUNDING

WHAT HAS CHANGED BETWEEN 2020 AND 2022

43%
of the needs
funded in
2021



Localisation
of aid:
0,4%



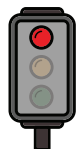
• Despite continuing pressing needs, and despite the commitments made at the October 2020 Ministerial Roundtable¹⁰⁰, funding for the humanitarian response has dwindled dramatically.

• At the end of 2021, humanitarian needs for Burkina Faso, Mali and Niger (\$1.7 billion) were only 43% funded on average, compared to 61% at the end of 2020 (for needs estimated at \$1.4 billion)¹⁰¹.

• In 2021, national and local NGOs received only a tiny portion of humanitarian funding in the three Central Sahel countries (0.4%, compared to 0% the previous year¹⁰²), 21% went directly to international NGOs (compared to 22% in 2020) and the vast majority of funding continued to flow through UN agencies¹⁰³.

• These proportions contradict the promises of the "Grand Bargain"¹⁰⁴, in 2016, when donors and humanitarian actors committed to allocate 25% of the funding directly to local actors. Aid localization makes humanitarian responses closer to affected populations and more agile, shortening the chain of action and reducing payments to intermediaries¹⁰⁵.

Financing by Sector



- Funding remains very unevenly distributed by sector: among the key sectors of the emergency¹⁰⁶, the water-hygiene-sanitation (WASH) sector continued to suffer from chronic underfunding in 2021, while education and protection are increasingly underfunded.

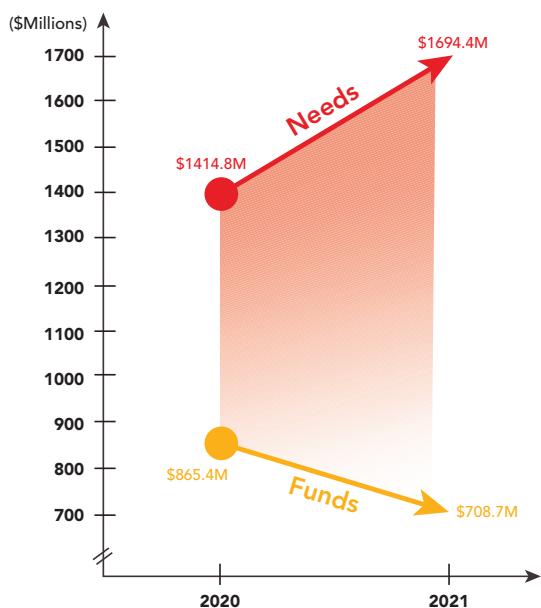
Ukraine's Impact

- In this tense context, the crisis in Ukraine is an aggravating factor for the humanitarian situation in the Sahel by causing a surge in the world price of cereals and agricultural inputs and diverting the attention of donors¹⁰⁷.

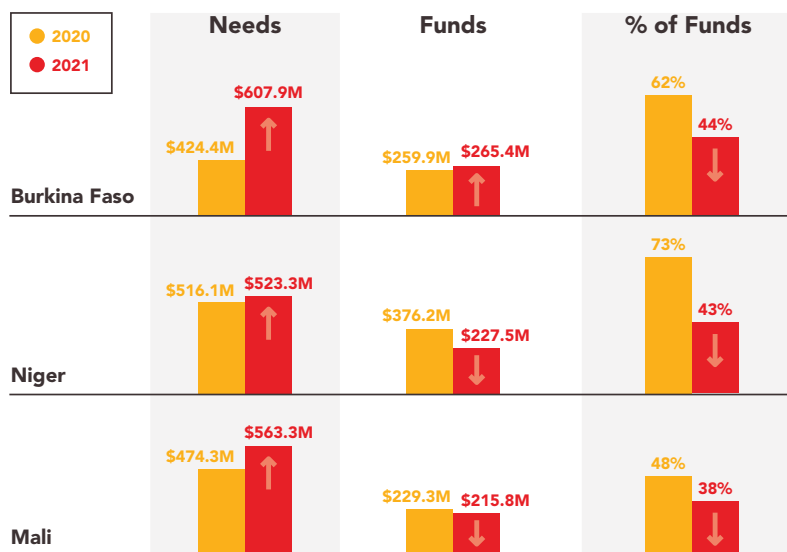


"Some donors have already indicated that they will make a 70% reduction in our funding to support operations in Ukraine. We are very concerned that this is becoming a trend, making access to health care and other basic services even rarer for displaced people in Burkina Faso."

Safia Torche, Executive Director of Médecins du Monde in Burkina Faso.¹⁰⁸
Photo: Samuel Turpin, Source: Oxfam, Burkina Faso.



Comparison between humanitarian needs and funding, by amount.



Comparison between humanitarian needs and funding, by country.

	2020	Measures of Success ¹⁰⁹	2021	Progress
FINANCEMENT	Funding of humanitarian response plans: • 36% in August • 61% at the end of the year	Objectives set by the People's Coalition in April 2021 Ensure funding for humanitarian response plans: • 60% by mid-year • 80% by end of September 2021 • 100% by end of 2021	Funding of humanitarian response plans: • 18% in July • 22% at end of September • 43% at end of year	

HOW TO IMPROVE THE SITUATION

To achieve sufficient humanitarian funding, on time and adapted to the needs of the populations, and a more sustainable humanitarian response through the support and involvement of national and local NGOs, the People's Coalition for the Sahel makes the following recommendations:

To donors:

- Fund at least 80% of Humanitarian Response Plans by December 2022, without diverting attention from other crises. Ensure that, by December 2022, at least 25% of humanitarian funding goes directly to national and local NGOs and associations in the form of flexible, multi-year funding with simplified procedures, and that half goes directly through NGOs, in line with the "Grand Bargain's" commitments to aid allocation and localisation.
- Ensure enhanced and regular coordination among humanitarian donors to ensure that no key sector of the emergency is less than 40% funded by December 2022.
- Ensure better programmatic coordination between humanitarian and development donors, in line with the desire to make the Nexus a reality in a region where multiple and chronic crises require a coordinated and flexible response.

To humanitarian coordination teams:

- Publish Humanitarian Response Plans aligned with quality joint needs assessments, including conflict sensitivity and intersectional gender analysis, ensuring that more than 80% of identified needs are targeted in each of the critical sectors and that the funds received are distributed in proportion to priority needs.
- Publish every six months a standardized progress report on the coverage of needs by the humanitarian response between Burkina Faso, Mali and Niger every six months, including: funding obtained by sector and that allocated to international, national and local NGOs; the number of targeted persons affected using data disaggregated by age, gender and disability; identification of gaps, challenges and analysis of their impact on populations.
- Strengthen advocacy for resource mobilization by developing, in conjunction with development actors, a tool for monitoring funding allocated to humanitarian, development and peacebuilding actors in order to strengthen coordination and transparency between these actors and to develop multidimensional solutions; and ensure that humanitarian and development responses are sensitive to local conflicts and social cohesion in the areas of intervention.
- Ensure that all humanitarian responses are age-, gender- and disability-sensitive; and in particular, that they systematically rely on gender analysis, and facilitate access to funding for women-led organizations so that aid better meets the specific needs of different groups. This should include funding for the Minimum Emergency Facility (DMU) for sexual and reproductive health in crisis situations.¹¹⁰

**2021
Baseline** 42% of humanitarian response plans were funded in Mali, Burkina Faso and Niger.

Source Financial Tracking Service (FTS), OCHA reports, humanitarian response plans.

Success Measures Humanitarian response plans are at least 60% funded in the middle of the year, 80% at the end of September and 100% at the end of 2022.

INDICATOR 6: ENSURING HUMANITARIAN ACCESS

WHAT HAS CHANGED BETWEEN 2020 AND 2022

- Humanitarian access constraints have become more complex across the Central Sahel over the past twelve months, often to the detriment of populations in need. Access has been influenced by the advances of non-state armed groups and the expansion of military operations, often to the detriment of populations in need.
- Spaces for dialogue and coordination between humanitarians, political authorities and national or international military forces have generally been strengthened, but much progress remains to be made at the decentralized level.
- In Niger, civil society is concerned with the February 2022 presidential decree that increased monitoring of NGO activities by the authorities. Article 41 of the decree states that "any project or programme initiated by the NGO, must obtain the approval of the State or its branches before execution"¹¹¹. Article 44 imposes an obligation on NGOs to inform the authorities "of the identity, location and reputation of the beneficiaries of their services", a measure that runs counter to the humanitarian principles of neutrality and impartiality.
- In Burkina Faso, improvements in logistics (increase in humanitarian flights, predisposition of emergency stocks in certain areas) are to be noted¹¹².
- The practice of armed escorts that vary according to the country and the types of actors, remains widespread. In Niger, the situation improved significantly in 2021, moving from a mandatory use of armed escorts throughout the country, to a decision taken by regional authorities, in coordination with other stakeholders.
- In connection with the counter-terrorism regulations in force in Burkina Faso and Niger, the guarantees for humanitarians to be able to negotiate their access with armed groups, in application of humanitarian principles, remain unclear.

CIVIL-MILITARY COORDINATION

End of 2020

Irregular civil-military coordination meetings (CMCoord) between humanitarians, defence and security forces (FDS), international forces, and state authorities at the national and local levels in **Burkina Faso, Mali and Niger**.

Measures of Success¹³

Objectives set by the People's Coalition in April 2021

Strengthening of civil-military coordination measured, by October 2021, by the holding of CMCoord at the national and decentralized levels at least once a month, with participation at a sufficient decision-making level (colonel at least at the central level).

Beginning of 2022

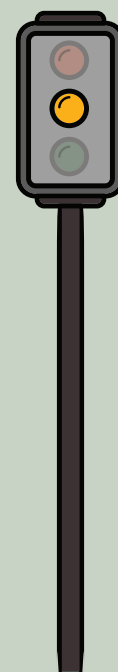
The number of coordination meetings increased in the three countries in 2021 compared to 2020, both strategy meetings in capital and operational meetings in regions.

- **Burkina Faso : 39 meetings** including 10 strategic
- **Mali : 47 meetings** including 15 strategic
- **Niger : 41 meetings** including 6 strategic

The presence of FDS has increased, but it remains low and variable. In **Niger** and **Mali**, the participation of foreign forces present in the area remains insufficient.

Significant efforts to provide personnel and training in humanitarian principles and international humanitarian law (IHL), but they need to be strengthened. Sensitive issues related to access constraints or military-led quick-impact projects are not addressed or little addressed.

Progress



DIALOGUE WITH ARMED GROUPS

End of 2020

Measures of Success

Beginning of 2022

Progress

A dialogue between humanitarians and non-state armed groups (NSAGs) has improved access to certain areas in **Burkina Faso** and **Mali**.

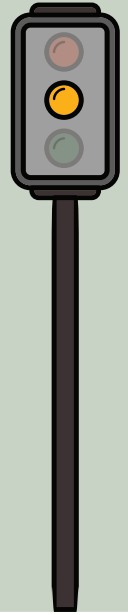
However, in **Niger** and **Burkina Faso**, there is no clear position on the possibility for humanitarians to engage with NSAGs without fear of negative repercussions from states (in which humanitarians operate or through which humanitarians are funded) or FDS.

Objectives set by the People's Coalition in April 2021

Commitment by civilian and military authorities and donor states to accept the possibility for humanitarians to negotiate humanitarian access with all parties to conflicts, which is clearly distinct from peace negotiations.

In **Mali**, humanitarian dialogue with all parties to the conflict remains essential to maintain access and unblock certain complex situations (in villages under blockade, for example). In general, the dialogue is still open with all stakeholders, even if it is more complex or even impossible in some specific localities and over a defined period of time.

In **Niger** and **Burkina Faso**, the limitations observed in 2020 persist regarding the lack of clear positioning of humanitarian actors on the dialogue with NSAGs.



ARMED ESCORTS

End of 2020

Measures of Success

Beginning of 2022

Progress

CMCoord's structures at the central and decentralized level have made it possible to negotiate humanitarian access routes without armed escorts to certain inhabited areas.

However, there are still bans on travel without a military escort in **Niger**, for example.

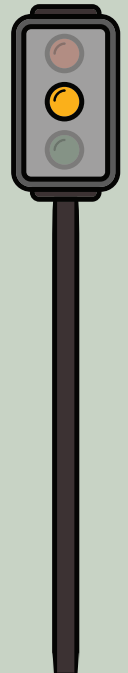
Objectives set by the People's Coalition in April 2021

Respect for the humanitarian mandate and principles of neutrality, impartiality and independence with a clear distinction between humanitarian and military.

The use of armed escorts for humanitarian actors should only be considered as a last resort and in exceptional circumstances.

Owing to the spaces for dialogue created since September 2020, progress has been observed in **Niger** regarding the displacement of humanitarians in certain areas: the revision, in May 2021, of the verbal note of the Ministry of Foreign Affairs and Cooperation on access, gives responsibility to regional and departmental authorities to assess the modalities of travel in fragile areas (such as Tillabéry).

However, in all three countries, the use of armed escorts by some humanitarian, development or stabilization actors continues to weigh on humanitarians' perception of neutrality. In **Mali**, for example, despite the adoption of operational procedures (SOPs) by the humanitarian country team on the non-use of escorts except in cases of last resort, UN security rules require the movement of UN expatriate staff in the field with escorts.



QIPs & CIMIC

End of 2020

Measures of Success

Beginning of 2022

Progress

In **Mali** and **Niger**, initiatives taken by the military without consultation with humanitarian coordination to "win the hearts and minds" of the population (distribution of blankets, food, first aid) have diluted the distinction between mandates between military and humanitarian actors.

Objectives set by the People's Coalition in April 2021

Agreement between civil-military coordination actors on the sectors on which military-led quick-impact projects (QIPs and CIMIC) should focus.

Coordination around quick-impact projects (QIPs) and civilian interventions led by the military (CIMIC) remains deficient in the absence of legislation in **Niger** and **Burkina Faso**, and weak due of non-compliance in **Mali**.

CIMIC/QIPs in the humanitarian assistance sectors are implemented in sectors (health, education, water/hygiene/sanitation) and in areas where humanitarians intervene, which undermines the perception of humanitarian neutrality.



COUNTER-TERRORISM MEASURES

End of 2020

Measures of Success

Beginning of 2022

Progress

Counter-terrorism measures by Sahelian states have restricted humanitarian access, including through an obligation to use a military escort (**Niger**) or a ban on deployment in certain areas. The inability to engage with NSAGs to access areas at risk has also limited the effectiveness of the humanitarian response to populations.

Objectives set by the People's Coalition in April 2021

The commitment of states to ensure that their anti-terrorism policies and legislation will not have a negative impact on humanitarian assistance, including through the provision of humanitarian exemption measures where it is necessary.

In **Burkina Faso**, **Mali** and **Niger**, no humanitarian exemptions are provided for in anti-terrorism regulations.

In **France**, the government's new screening guidelines include many exemptions but can still constrain humanitarian activities in the Sahel (including through screening of stakeholders) and beneficiaries of the aid).

In the **UK**, the new grant model removed the call for NGOs to support "the fight against terrorism" and strengthened references to IHL.



HOW TO IMPROVE THE SITUATION

To ensure humanitarian access to people in need and effective coordination between humanitarians and armed actors, the People's Coalition for the Sahel makes the following **recommendations**:

To the political and military authorities, donor states and the humanitarian community:

- Continue to strengthen civil-military coordination mechanisms, through: the provision of dedicated and trained personnel; high level decision-making participation of all military forces present on the territory (including foreign forces); the systematic prioritisation, for coordination in capital, of strategic topics such as that of fast-impact projects led by military personnel before their implementation (CIMIC/QIPs).

To the humanitarian community:

- Ensure respect for humanitarian principles by ensuring the use of armed escorts only as a last resort, through clear guidelines, in-depth analysis of alternatives, and enhanced transparency and accountability on the part of the entire humanitarian community.

To Central Sahel states and donor states:

- Demonstrate the political will to enable humanitarians to negotiate access with all parties to conflicts, especially in accordance with international humanitarian law.
- Ensure that counter-terrorism policies and legislation do not have a negative impact on humanitarian aid and space; and provide for humanitarian exemption measures where it is necessary.
- Ensure respect for humanitarian principles by ensuring that final aid recipients are not screened.

To national and foreign armed forces:

- Ensure a clear distinction of mandates, ensuring that CIMIC and QIPs interventions are more oriented towards sectors not covered by humanitarian actors (including infrastructure support) and are coordinated ahead of their implementation with the humanitarian community.
- Ensure that training for armed forces includes awareness of humanitarian action, humanitarian principles, international humanitarian law and the protection of women and children, including for commanders in the field.

To Mali and the Economic Community of West African States (ECOWAS):

- Find a solution to end the sanctions imposed on Mali in January 2022, which are having devastating consequences for the populations and the humanitarian situation in a country already facing the worst food insecurity in 10 years. In the meantime, provide for humanitarian exemptions from sanctions¹¹⁴.

4. COMBATING IMPUNITY

PEOPLE'S Pillar N°4

Combat impunity and ensure access to justice for all.

This involves ensuring that those who commit abuses against civilians are held accountable by ensuring effective access to justice for all, and strengthening the justice system and the criminal justice process to combat impunity.

INDICATOR 7: ZERO TOLERANCE TO HUMAN RIGHTS ABUSES COMMITTED BY DEFENCE AND SECURITY FORCES

WHAT HAS CHANGED BETWEEN 2020 AND 2022

Several symbolic judicial steps have been taken since April 2021¹¹⁵ to strengthen accountability for crimes committed against civilian populations in the Sahel. But the course of justice remains slow and hampered by many obstacles. Impunity for serious violations perpetrated by defence and security forces (FDS) continues to prevail, undermining the population's confidence in state institutions. However, neither the words nor the actions of Malian, Burkinabé or Nigerian authorities demonstrate a real prioritization of the fight against impunity.



Progress was made in 2021 with the holding of a first trial for a massacre involving so-called self-defence groups and an increase in judicial proceedings against military personnel. However, no member of the defence and security forces has yet been tried for grave violations against civilian populations. Despite encouraging statements,¹¹⁶ the political authorities have not adopted a national zero-tolerance policy for human rights violations by the FDS and so-called self-defence groups, as recommended by the People's Coalition for the Sahel in April 2021. UN independent expert Alioune Tine warned again, in March 2022, of "the urgency of putting an end to the infernal cycle of impunity"¹¹⁷.

Military Justice

- On November 10, 2021, the very first session of the Criminal Chamber of the Bamako Military Court was held. Warrant Officer Abdul C., convicted of rape in 2014, was sentenced to 20 years in prison, demoted and removed from the army¹¹⁸. Two other cases were dismissed, in part because an accused soldier, still on duty, had not been demobilized by his command. Although it focused only on individual cases, this first session of military justice has been presented as a symbol of the authorities' commitment to fight impunity.¹¹⁹
- Indeed, the opening of proceedings against military personnel has accelerated since the military took power in August 2020, especially in response to pressure from civil society and the international community in the face of mounting allegations of abuses, according to Amnesty International.¹²⁰ For example, in early 2021, the Minister of Defence authorized in early 2021 the opening by the military justice of ten military justice proceedings into allegations of extrajudicial executions committed by military personnel between 2018 and 2020, which represents an increase in the judicial treatment of these crimes compared to the previous year (2020). In April 2022, the military prosecutor of Mopti announced the opening of investigations into allegations of massacres during military operations in Moura, less than 10 days after the events.¹²¹ As of November 2021, 99 soldiers and counting were placed under arrest warrant, according to the director of military justice, including "elements recently accused of torture".¹²²
- However, investigations by the military judiciary into serious crimes attributed to military personnel, including in Binedama in June 2020, are progressing slowly, and as of May 2022 none had yet resulted in a trial. Not all allegations of abuses have been prosecuted. In addition, military personnel facing prosecution are not systematically suspended and some are still in operation. Magistrates have told Amnesty International this is due to insecurity hindering investigations and also because of the negative impact these proceedings could have on cohesion within the army.¹²³

“Arresting soldiers while they are on operations and under fire could be detrimental to the morale of their comrades in the field and cause them unnecessary stress. Those in command need to be mindful of making such arrests.”

Bamako military court magistrate quoted by Amnesty International.¹²⁴

Other Legal Proceedings

- **Investigations into massacres attributed to so-called self-defence groups have resulted in a single trial.** 12 men were sentenced to death on 30 June 2021 by the Mopti Assize Court¹²⁵ for the murder, on 1 January 2019, killing of 39 inhabitants of the village of Koulogon-Peul on 1 January 2019¹²⁶. The trial was held in the absence of the defendants, who had been released on bail during the investigation, and of the witnesses, for security reasons. No arrest warrant was issued at the end of the trial. Investigations into other large-scale communal violence, such as the massacres in Ogossagou I and II (March 2019 and February 2020), Sobane-Da (June 2019), and Bankass (July 2020), are underway but little progress is being made.
 - The Malian judiciary has been more active in trying "acts of terrorism". Forty-seven cases were examined during a special session on terrorism held in October-November 2021 at the Bamako Court of Appeals. Terrorism proceedings have resulted in dozens of cases of prolonged detention and acts of torture and ill-treatment in detention, according to the UN.¹²⁷ Trials are often expeditious and "lack the minimum guarantees of fairness required by international law", according to Amnesty International.
- In this context, the dismissal of charges in March 2021 against General Sanogo, head of the military junta that carried out the coup in 2012, under the National Accord Law has contributed to reinforcing the sense of impunity enjoyed by the armed forces.¹²⁸



BURKINA FASO

Burkina Faso's transitional authorities have not issued any statements or actions indicating that zero tolerance for abuses by the defence and security forces is one of their priorities. They have not revised a disputed impunity clause in the status of the special forces, and investigations into extrajudicial killings attributed to the FDS have made little progress. On the other hand, cases of terrorism by the specialized justice system are beginning to gain momentum.

- **Article 10 of the presidential decree on the status of special forces, created in June 2021**¹²⁹, sent a very bad signal as to the commitment of the Burkinabé authorities to combat impunity. The decree states that special forces personnel "may not be prosecuted for acts committed in the exercise of or in connection with the performance of their duties" and has been presented by Burkinabé human rights defenders as a bonus for impunity, with some going so far as to speak of "death squads."¹³⁰
 - On 24 June 2021, the People's Coalition for the Sahel recalled that "none of the defence and security forces present in the Sahel should be given a specific status that would exempt them from responsibility in the event of abuse".¹³¹
 - On 17 February 2022, the European Parliament "invited the authorities of Burkina Faso to revise the immunity clause in the statute of the special forces"¹³².
 - Despite the concern expressed by many actors about this provision, which is contrary to Burkina Faso's international commitments and the statements of its leaders in support of the fight against impunity, Article 10 had still not been revised at the time of this report.
- **Military justice has made little progress in investigating serious crimes attributed to defence and security forces**¹³³. Two years after 200 bodies were found in mass graves around Djibo, none of those responsible has been tried. Allegations of further extrajudicial executions by members of the FDS and state-sponsored self-defence groups (including the Volunteers for the Defence of the Fatherland) have increased since the beginning of 2022 (see Pillar 1, indicator 1).
- Long non-existent, **terrorism cases by specialized courts are gradually gaining momentum**, with the first trial held in August 2021. Two members of an armed group have been sentenced to 20 years in prison for the 2018 attack on a primary school¹³⁴. This judgment represented an important symbolic step forward, particularly attacks on the education sector.¹³⁵ However, it was tarnished by serious procedural flaws that undermined the rights of the defence, an essential principle of a fair trial. The defendants, who spent three years in pre-trial detention, were not informed during the trial of their right to legal representation.
- As of August 20, 2021, 459 cases were registered under investigation by the Specialized Judicial Unit Against Crime and Terrorism, established in 2017 to try all terrorism-related cases¹³⁶. Contrary to the widespread perception in Burkina Faso of a threat that comes from outside and emanates mainly from the Peuhl community, 9 out of 10 detainees are of Burkinabé nationality and represent all communities of the country¹³⁷.
- The announcement, in October 2021, of the opening of a national office of the UN High Commissioner for Human Rights in Burkina Faso,¹³⁸ is a positive sign for the fight against impunity and the promotion of human rights¹³⁹. Burkina Faso was the only G5 Sahel country without a permanent UN human rights presence.



NIGER

In Niger too, authorities have not demonstrated prioritization of the fight against impunity for abuses attributed to the FDS. Investigations into extrajudicial executions attributed to the military have stalled.

- More than two years after the death of at least 71 civilians, the investigation into the Inatès massacre has come to a standstill. None of the alleged perpetrators have been tried, arrested or even interrogated. This tragic episode is unprecedented: it is the first time that the responsibility of the FDS has been documented by an official organ of the state, the National Human Rights Commission, in a thorough investigation published in September 2020¹⁴⁰, whose findings the Nigerien authorities have so far ignored¹⁴¹. Privately, Nigerien officials confirmed in September 2021 that judicial proceedings were underway and acknowledged the responsibility of elements of the FDS¹⁴².
- Contrary to the zero tolerance called for by the People's Coalition for the Sahel, several dozen other cases of extrajudicial executions and enforced disappearances during military operations by the Nigerien army have remained without a judicial response, fuelling a sense of impunity for the FDS¹⁴³.

INTERNATIONAL FORCES

Also in Niger, the authorities have not demonstrated any prioritization of the fight against impunity for abuses attributed to the FDS. Investigations into extrajudicial executions attributed to the military have stalled.

- Allegations of serious human rights violations by Russian forces present alongside Malian armed forces during military operations have been made, including in Moura in March 2022.¹⁴⁴ In the absence of precise information on the status of these forces, presented as military instructors by the Malian government¹⁴⁵ and as mercenaries of the Wagner group by 15 European countries and Canada,¹⁴⁶ as well as by the head of Russian diplomacy¹⁴⁷, it is difficult to establish their responsibility for incidents against civilians.
- Responsibility has yet to be established for the incident in Bounti, Mali, in which 22 people were killed in French airstrikes on January 3, 2021, including 19 civilians who were participating in a wedding, according to a MINUSMA investigation.¹⁴⁸ The French Ministry of the Armed Forces refuted MINUSMA's conclusions by questioning the methodology used and reaffirmed that it had targeted "an armed terrorist group identified as such,"¹⁴⁹ while refusing to provide proof. To date, no judicial investigation has been opened into this incident, either in France or in Mali.
- In May 2022, the Nigerien and French authorities announced the payment of compensation to the families of victims of the repression of a demonstration against a French military convoy in Téra on November 21, 2021¹⁵⁰, which left three people dead and several injured. This decision was criticized by human rights groups because of the lack of criminal proceedings.
- The French Minister of the Armed Forces has rejected president Bazoum's request for an investigation into the death of three Nigeriens during a demonstration against a French military convoy in Téra on 21 November 2021. Six months after the events, the Nigerien authorities have still not published the results of the investigation they announced they had opened.
- In April 2021, Chadian soldiers of the G5 Sahel Joint Force were arrested and repatriated after accusations of rape against at least three women, including an 11-year-old girl, in Téra, Niger. A criminal investigation was announced but, as of May 2022, its findings had not been made public due to the lack of criminal proceedings¹⁵¹.

HOW TO IMPROVE THE SITUATION

To break the cycle of impunity, the People's Coalition for the Sahel makes the following **recommendations**:

To the government of Burkina Faso:

- Revise Article 10 of the Statute of Special Forces to bring it into conformity with Burkina Faso's international obligations and the commitments of its leaders to fight impunity.

To the governments of Burkina Faso, Mali and Niger:

- Translate into action the declared commitment to combat impunity¹⁵², by accelerating the conclusion of investigations into the most emblematic massacres, including those of Inatès (Niger), Djibo (Burkina Faso) and Ogossagou (Mali).
- Make public the results of the numerous investigations into allegations of abuses by FDS or foreign forces whose opening has been announced in communiqués by the general staffs of the armies or the military justice of the three countries; failing that, provide information on the status of these investigations.
- Adopt a national zero-tolerance policy for violations of human rights and international humanitarian law committed by the Defence and Security Forces (FDS) and so-called self-defence groups. This policy must notably ensure:
 - Systematic public condemnation of abuses against civilian populations committed by the FDS and self-defence groups, as is the case for radical armed groups;

Recognition that impunity for the FDS feeds the population's
 - distrust of the populations in the state, encourages recruitment by armed groups, and thus fuels the cycle of violence;
 - Immediate opening of impartial and independent investigations into allegations of serious human rights violations; the publication of regular progress reports on the status of the investigations; and holding of timely, fair trials to bring justice to victims and their families;

2021 Baseline

No trials of Burkinabè, Malian or Nigerien soldiers accused of abuses have been held as of the date of publication of this report. Only one trial of members of so-called self-defence groups took place in Mali in 2021.

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 organizations and more particularly human rights organizations.

Success Measures

Conclusion of impartial and independent investigations and opening of first trials of FDS members by December 2022, especially the massacres in Inatès (Niger), Djibo (Burkina Faso), Ogossagou (Mali).

- Immediate administrative leave placement of FDS members suspected of committing crimes against civilian populations, pending the conclusion of investigations;
- Effective dismantling and disarmament of so-called self-defence groups suspected of abuses against civilian populations.
- Strengthen the capacities and means of the National Human Rights Commissions (NHRC) to enable them to conduct effective and independent investigations into abuses committed by all actors, including the FDS and self-defence groups¹⁵³.
- Make public, in full transparency, the nature of agreements governing the deployment of foreign forces, and the status of forces, in order to be able to establish accountability for serious violations against civilian populations.

To international partners:

- Publicly and systematically condemn violence against civilian populations committed by defence and security forces or so-called self-defence groups, not only those attributed to armed groups.
- Acknowledge that impunity for abuses undermines trust in the state and boosts recruitment by armed groups.
- Impose conditionalities tied to respect of human rights and IHL by the FDS in the pursuit of security partnerships.
- Demonstrate exemplary accountability by ensuring that international security missions and projects include strong safeguards, alert mechanisms and frameworks for monitoring incidents (including sexual exploitation, harassment and abuse), and local complaint mechanisms.
- Make public, in full transparency, the nature of agreements governing deployment of all international actors involved in military operations in the Sahel and the status of forces.

To the government of France:

- Open an independent judicial investigation to shed light, in full transparency, on the air strikes on Bounti (Mali) in January 2021¹⁵⁴.
- Make public the conclusions of the investigation into the events in Téra (Niger).

INDICATOR 8: BOOSTING THE CAPACITY AND RESOURCES OF JUSTICE SYSTEMS

WHAT HAS CHANGED BETWEEN 2020 AND 2022

There has been progress in the three countries in the Central Sahel to make specialized judicial units more effective at adjudicating conflict-related cases. The legal framework is gradually being reformed, but the rights of suspects are still too often violated and military justice remains largely dependent on political decisions. Access to justice for victims of serious human rights violations is hampered by a lack of human, material and financial resources, as well as by a lack of political will. Improving access to justice is essential to fight impunity and curb the population's mistrust of a judicial system that is not perceived as protective.

Under-Equipped Specialized Judicial Units

- Specialized judicial units responsible for combatting terrorism (PJS) were created in Mali in 2013 (with jurisdiction extended in 2019 to crimes under international law), Burkina Faso in 2017 (but only held its first trial in 2021) and Niger in 2011. They are chronically understaffed. For example, the 460 cases pending at the PJS of Burkina Faso are handled by 12 magistrates and 16 clerks who are also mobilized on common law cases¹⁵⁵. Investigators have only two forensic pathologists and one interpreter.
- In addition to staffing problems, there are constraints on access to fields of investigation, which cannot take place without a military escort due to insecurity, as well as on the protection of victims and witnesses who are reluctant to confide for fear of reprisals. These obstacles prolong the investigation process and contribute to a lack of confidence in the justice system among communities and a sense of impunity.

Prison Overcrowding

- In Burkina Faso, several dozen suspects were released in 2021 for lack of charges, often after several years of detention.¹⁵⁹ But there are still 978 detainees, including 900 suspected of terrorism in Ouagadougou's maximum security prison which has the capacity for 448 places. There are no quarters for minors or women¹⁶⁰. Several children are housed in separate prefabricated buildings. Detainees who have access to a lawyer are in the minority.
- In Mali, many suspected "terrorists" arrested during military operations bypass the judicial system and are illegally detained in the premises of the General Directorate of State Security (DGSE) – renamed the National State Security Agency in October 2021 – sometimes for several years according to Amnesty International¹⁶². Judicial authorities have justified continued detention by the DGSE citing the weakness of the Malian prison system, which they described as a "sieve".
- In Niger, there is little prison overcrowding but suspicious deaths have been reported since November 2021 at the Koutoukallè maximum security prison where the rights of detainees are not always respected¹⁶³.

Military Justice

- In Burkina Faso, Mali and Niger, military courts have sole jurisdiction to try members of the defence and security forces accused of abuses against civilians¹⁵⁶ and only the Minister of Defence can authorize prosecutions, which has long severely limited the number of proceedings and hampered the fight against impunity.
- In Mali, a new code of military justice, prepared with the technical support of MINUSMA, EUCAP Sahel Mali and UNDP and validated on 15 March 2022, should improve the effectiveness of investigation and prosecution of offences committed by military personnel, in particular by giving the prosecutor of the military court the initiative to take action, rather than the minister, who would simply be informed¹⁵⁷.

There are no quarters for minors (juvenile) or women¹⁵⁸. Several children are settled in prefabricated buildings apart.



"They beat me with a rope to talk to me and beat the detainees... I will have to learn to live again, but I am afraid that the military will come back to arrest me or kill me."

A former Burkinabé detainee, quoted by Le Monde.¹⁶¹
Photo: Sophie Garcia, Source: Médecins du Monde, Burkina Faso.

HOW TO IMPROVE THE SITUATION

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 makes the following **recommendations**:

To the governments of Burkina Faso, Mali and Niger:

- Adequately equip ministries of justice with resources, including human resources, to enable local prosecutors and judicial police officers to effectively investigate and fairly prosecute perpetrators of abuses (including members of the defence and security forces and community self-defence groups), taking gender into account.
- Strengthen the forensic capacity of judicial institutions to enable rapid deployment to crime scenes and the collection, analysis and secure storage of scientific evidence (ballistics, fingerprints, autopsies, etc.), including for cases of sexual violence.
- Limit the jurisdiction of military courts to offences of a purely military nature, excluding from their jurisdiction crimes committed by military personnel against civilians, which should be the responsibility of specialized judicial units, in accordance with the African Commission on Human and People's Right Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa¹⁶⁴.
- [For Burkina Faso] Revise the Code of Criminal Procedure so that defendants on trial for terrorist acts or conflict-related offences may have access to a court-appointed lawyer.
- Ensure the presence of provost units, responsible for ensuring discipline and detainee rights in all military operations, and take measures to prevent retaliatory killings after the death of soldiers from attacks by armed groups.
- Strengthen access to legal assistance for victims of serious human rights violations by supporting the establishment of community-based civil legal services to increase public acceptance. Currently, the only formal legal services communities have access to in insecure areas are, for the most part, the gendarmerie (military police) services.
- Support the creation and training of victim liaison officers, ensuring the recruitment of women, to facilitate contacts and coordination between victims from all communities and the justice system.
- Put in place measures to protect witnesses, survivors and human rights defenders to encourage their participation in investigations and trials, including legal assistance.
- Ensure that defence and security forces support the work of the judiciary by assisting in the release of suspects and execution of arrest warrants, facilitating access by judicial personnel to investigation sites, and supporting witness and victim protection.
- Create a dedicated international judicial cooperation unit within ministries of justice to reflect the transnational dimension of the cases handled.
- Ensure implementation of the Paris Principles and Commitments on Children Associated with Armed Forces or Armed Groups¹⁶⁵, signed by the three countries, by ensuring children suspected of being associated with armed groups designated as terrorists are transferred to child protection actors and treated primarily as victims.
- Encourage the establishment of parliamentary commissions of inquiry into allegations of abuse by members of the FDS; enable parliamentarians to exercise their duty to have oversight of the executive branch in the fight against impunity.

To international partners:

- Prioritise technical and financial support dedicated to strengthening capacities and resources of the judicial system to enable Sahelian governments to implement the above recommendations.

Source	National budgets; amount of aid
Success Measures	20% increase in Sahelian state budgets for the justice system, and a measurable increase in international aid for the justice sector by June 2023.

RECOMMENDATIONS

To the Sahelian governments of Burkina Faso, Mali and Niger:

- For protection of civilians _____ **Indicator 1** _____ **Page 13**
- For political strategies and governance _____ **Indicator 3** _____ **Page 16**
_____ **Indicator 4** _____ **Page 18**
- For humanitarian emergencies _____ **Indicator 6** _____ **Page 25**
- For the fight against impunity _____ **Indicator 7** _____ **Page 28**
_____ **Indicator 8** _____ **Page 30**

To the Government of Burkina Faso:

- For the fight against impunity _____ **Indicator 7** _____ **Page 28**
_____ **Indicator 8** _____ **Page 30**

To international partners involved in the Sahel and donors:

- For the protection of civilians _____ **Indicator 1** _____ **Page 13**
- For political strategies and governance _____ **Indicator 3** _____ **Page 16**
_____ **Indicator 4** _____ **Page 18**
- For humanitarian emergencies _____ **Indicator 5** _____ **Page 21**
_____ **Indicator 6** _____ **Page 25**
- For the fight against impunity _____ **Indicator 7** _____ **Page 28**
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To the Sahelian armies of Burkina Faso, Mali, Niger and the international forces present in the Sahel:

- For the protection of civilians _____ **Indicator 2** _____ **Page 14**
- For humanitarian emergencies _____ **Indicator 6** _____ **Page 25**

To the African Union and ECOWAS:

- For political strategies and governance _____ **Indicator 3** _____ **Page 16**
- For humanitarian emergencies _____ **Indicator 6** _____ **Page 25**

To humanitarian coordination:

- For humanitarian emergencies _____ **Indicator 5** _____ **Page 21**
_____ **Indicator 6** _____ **Page 25**

To France:

- For the fight against impunity _____ **Indicator 7** _____ **Page 28**

Executive Summary and Methodology

- 1 For references, please refer to the relevant chapters.
- 2 The contributors used a mixed methodological approach including: original research based on interviews conducted specifically for this report or previously granted to members of the People's Coalition; analysis of open sources, as well as previously published research, mainly from Coalition partners, and press articles.
- 3 For the Sahel, ACLED limits the use of "standard averages" (established in the absence of precise death tolls) thanks to a close coverage of the region and a vast network of local sources and partners in Burkina Faso, Mali and Niger (NGOs, journalists, humanitarians, military and security actors, community informants among others). For more information, see "ACLED Fatality Methodology" https://acleddata.com/acleddatanew/wp-content/uploads/2021/11/ACLED_FAQs-Fatalities-Methodology_v1_February-2020.pdf

Pillar 1

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Pillar 2

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In Burkina Faso, 3,280 schools were closed by the end of 2021, affecting 511,000 children, compared to 2,169 schools closed by the end of 2020 for 307,000 children out of school, an increase of 66%. In Mali, more than 1,640 schools were closed by the end of 2021, affecting nearly 2.9 million children, compared with 1,261 schools closed by the end of 2020, depriving 338,700 children of education.

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Pillar 4

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