

AGREEMENT BETWEEN THE DAOUSSAHAQ COMMUNITIES OF TALATAYT (MALI) AND THE PEULHS OF NIGER RELATING TO THE PEACEFUL USE OF NATURAL RESOURCES ALONG THE MALI-NIGER BORDER

Following the meeting held in Tillabéry on May 11, 12 and 13, 2016, the Daoussahaq community representatives from Talatayt (Mali) and Peulh from Niger, hereinafter referred to as "the parties", assisted by representatives from the Idarfan, Kel Essouk, Imajaghan, Peulhs and Sonrhaï communities from Mali as well as the Djerma, Arab and Kel Tamacheq communities from Niger:

- Considering the recommendations of the intercommunal and cross-border forum held in Banibangou from 04 to 06 July 2011;
- Considering the recommendations of the meeting on peace and security, held in Tillabery on July 23, 2011;
- Considering the commitments relating to the return of peace and security along the border, made by the leaders of the Daoussahaq community before the Malian Minister of Security and Civil Protection, in Ménaka on July 29, 2011;
- Considering the agreement for the end of hostilities between the Peulh and Daoussahaq communities signed on August 21, 2011 in Ménaka
- Considering the content of the Agreement for Peace and Reconciliation in Mali;
- Considering the agreement on the end of hostilities signed between the two parties on December 23, 2015 in Bamako
- Considering the willingness of the two parties to implement the provisions of the following commitments for a final and lasting settlement of the conflict, which has divided the two communities for many years, around the use of natural resources along the Mali border /Niger
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Both parties have agreed as follows:

CHAPTER I: Restoring peace, security and trust between the two (2) communities

Section I: the network of bandits that has formed on both sides of the border and who use weapons to take animals from all communities living along the border:

Article 1: By this agreement, the parties agree that: The network of thieves, bandits, brigands, or robbers is without borders and without community. Consequently, its dismantling seems essential for the restoration of peace and security along the common border;

Article 2: To effectively combat the network of animal thieves active on both sides of the border, the two communities agree on:

- Requesting the authorities of the two countries ensure strict enforcement of the laws governing robbery in both countries.
- The restoration, revitalization, and strengthening of the authority of the State, religious leaders, and the traditional chieftdom.
- Each community identifying and denouncing its bandits and thieves among vigilante groups, militias, butchers, unscrupulous security forces and local authorities
- Each community identifying and denouncing bearers of weapons within its community
- Ensuring Local and national authorities penalize unscrupulous agents whose involvement and / or complicity in the theft of livestock have been proven.
- Requesting that the two states establish cooperation and mutual assistance between the judicial authorities on both sides of the border.
- Requesting the two states strengthen the relations of cooperation and collaboration between the security forces of the two countries along the border.
- Using intermediaries (brokers and butchers) to find stolen animals
- Increasing inter and intra-communal meetings around cattle theft and banditry along the border of the two states
- Requesting of the Malian State a correct implementation of the peace agreement (disarmament of combatants)
- Asking the Nigerien State to organize a meeting with all herdsmen around the problems and evils which undermine pastoral activity in the area
- Requesting of the two states to create advanced security posts (joint patrols) along the border
- Creating joint vigilance committees (made up of community leaders from both countries) along the border.
- Promoting twinning between municipalities on the border between the two states. Implementing the recommendations and commitments made during this meeting at the level of the border communities of the two (2) countries.
- Within livestock markets, scrupulously identifying the animals entering and leaving markets, as well as the names of sellers and buyers (for traceability of transactions in the event of complaints)
- Strictly prohibiting any transaction outside the markets recognized by the State
- In order to reduce the theft and concealment of animals in livestock markets, ensuring communities regulate the function of intermediary brokers and butchers

Section II: The peaceful coexistence between the two communities around the use of Natural Resources

Article 5: The parties note that the conditions for social cohesion and peaceful coexistence around the use of pastoral resources are becoming difficult in this area. To increase harmony around the use of pastoral resources it is necessary to maintain a frank dialogue and regular consultation meetings between community leaders in the area

Article 6: For the rapid return of peace and trust between the two communities, some essential actions seem necessary to carry out:

- Reactivate and strengthen local conventions for the management of pastoral resources along the border
- Raise-awareness amongst the different communities on the strict application of the rules and conventions governing access to pastoral resources.
- Disseminate / popularize the rules governing the use of pastoral resources
- Niger leaders are asking the Niger State to build pastoral, educational, and socially-conscious water infrastructure in the area.

Section III: Respect for rules, agreements and traditional principles governing transhumance and the use of Natural Resources

Article 7: The parties recognize that in order to ensure the peaceful use of cross-border resources, herdsmen must be required to strictly respect the traditional principles governing the management of pastoral resources within their host communities.

Article 8: For better compliance with the rules and customs of their host communities, the following measures will be taken:

- Before transhumance, all herdsmen must inform themselves about the habits and customs of their destination in order to make all the arrangements necessary to strictly respect these.
- Community leaders must inform their citizens about the habits and customs of the host communities
- In Mali, customary, municipal and state authorities must ensure strict compliance with the ban on the use of the fonio plains before the collection of fonio (compliance with the provisions of the Pastoral Charter of Mali)

- Community leaders, located on both sides of the border, must meet to develop a local convention around the management of natural resources respecting the rules of the two countries
- Strict compliance with local conventions, customs and practices surrounding water troughs in host communities
- The municipalities must take all the measures to assign to the traveling herdsmen zones or spaces to dig troughs so that their animals have access to water.
- Ask States and partners to create modern water sources (eg large wells) to relieve water troughs while respecting local norms and standards.
- The correct dissemination of regulatory texts governing transhumance in the two countries and in the ECOWAS region
- Correct involvement of national institutions and / or services responsible for the management of pastoral resources in the dissemination of regulatory texts
- Inform and raise awareness among traveling herdsmen so that they are in good standing with regard to the laws and rules governing transhumance in the two countries and the ECOWAS region

CHAPTER II: Priority measures

Article 9: To speed up the process of reconciliation between the two communities, it is important to take the following measures urgently:

- Strict observation of the measures contained in the end of hostilities agreement signed between the leaders of the 2 communities on December 23, 2015 in Bamako
- Bring together leaders located on both sides of the border in order to resolve certain misunderstandings that may arise before the implementation of this agreement

CHAPTER III: Monitoring of the Agreement

Article 10: To aid peace-building and security activities (see the action plan in the appendix), the two communities agree on the rapid establishment of a network of community leaders within and across borders. This network will be monitored and supported in the execution of its activities by technical and financial partners and the authorities of the two countries.

Article 11: Any dispute arising from the application or interpretation of this agreement will be settled amicably. Either party may request in writing any review or amendment of all or part of this agreement.

Article 12: This Agreement comes into force on the date of signature.

Done at Tillabéry on 05/13/2016

In five Original copies, in French

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