



Ten years of support in the area of the rule of law
Study on the achievements and lessons learned by the
MINUSMA Justice and Corrections Section in the
execution of its mandate, and post-MINUSMA options
and opportunities (17 November 2023)



Translated from French



The ten years of support provided by the Justice and Corrections Section (JCS) of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) are first and foremost the story of close collaboration with the justice and corrections authorities of Mali, other Mission components and United Nations system partners. This collaboration led to tangible results in certain key areas in support of the peace process, the restoration of State authority and the fight against impunity for serious crimes, in pursuit of the Mission's political priorities, and more nuanced results in others. These achievements were also recognized by the United Nations Office of Internal Oversight Services in its 2021 audit report.¹

¹ This study does not necessarily represent the views or policies of the Department of Political and Peacebuilding Affairs, Department of Peace Operations, or of the United Nations. For inquiries, please contact the DPPA/PMD Guidance and Learning Unit at dppa-policy@un.org or the DPO/DPET Knowledge Management and Guidance Team at peacekeeping-bestpractices@un.org.

Executive summary

The ten years of support provided by the Justice and Corrections Section (JCS) of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) are first and foremost the story of close collaboration with the justice and corrections authorities of Mali, other Mission components and United Nations system partners. This collaboration led to tangible results in certain key areas in support of the peace process, the restoration of State authority and the fight against impunity for serious crimes, in pursuit of the Mission's political priorities, and more nuanced results in others. These achievements were also recognized by the United Nations Office of Internal Oversight Services in its 2021 audit report.

In accordance with its mandate, and with a view to implementing the Agreement on Peace and Reconciliation in Mali resulting from the Algiers process (hereinafter "the Peace Agreement"), MINUSMA, through the logistical, technical and financial support of the JCS, has contributed to the return, deployment and securitization of numerous justice and corrections institutions in conflict-affected areas in northern and central Mali, to improving the functionality of courts and tribunals and to strengthening oversight mechanisms, in particular the Judicial Services Inspectorate. At the end of the Mission's mandate, 36 of the 38 courts and tribunals in the north and centre were operational or partially operational, as were 11 of the 18 prisons in these regions. The implementation of key institutional reforms for the prison administration, strengthened capacity-building and the improved management of correctional facilities and detention conditions for greater compliance with international norms and standards, including through better prevention and management of security incidents in prison settings, in cooperation with other sectoral policies and actors, are likely to leave a lasting impact in Mali. The MINUSMA-JCS has also worked towards fostering a common understanding among stakeholders of the Peace Agreement's provisions on justice and reconciliation (in particular article 46) as a fundamental element of the peace process, and supported the justice reform process as well as the reassessment of the role of *cadis* and traditional authorities, as provided for in the Peace Agreement, in pursuit of constructive complementarity with formal justice actors and their integration into Malian positive law.

This support has also been accompanied by sustained assistance to combat impunity for serious crimes that risk destabilizing the peace process, and to manage the risks associated with people detained for such crimes. In the face of rising terrorist threats, an institutional, legislative and regulatory framework laying the foundations for a judicial response adapted to these challenges was established, including through the operationalization, in 2017, of the Specialized Judicial Unit to Combat Terrorism and Transnational Organized Crime, the extension of its material jurisdiction to international crimes and the adoption of a related criminal justice policy and prosecutorial strategy, with advocacy, technical and financial assistance to the Malian authorities. This support thus led to significant advances, particularly regarding the prosecution of terrorism-related crimes, with the trial of 255 persons, of whom 208 have been convicted since the operationalization of the Specialized Judicial Unit in 2017, and, to a lesser extent, regarding crimes committed against MINUSMA personnel, with the conviction of 10 people involved in such crimes. In addition, the Mission's support has also enabled the establishment of prison infrastructures and capacities to ensure the secure detention of high-risk detainees in compliance with international norms and standards, and the prevention of violent extremism and radicalization, in support of the national policy to prevent and combat violent extremism and terrorism.

Given the security challenges, the political instability punctuated by crises and the limits of the support provided by the MINUSMA-JCS, these results should be nuanced in certain areas. The results achieved in restoring and extending the State authority remain fragile and dependent on the security situation and the intermittent absence of administration and justice officials in field locations. Despite technical and financial assistance from MINUSMA and partners, and advocacy efforts, some key reforms, such as revised texts on criminal legislation, military justice, traditional justice, trafficking in persons and migrant smuggling, which could significantly improve the processing of cases that could be sources of conflict and instability, have not yet been adopted. Efforts to promote judicial integrity and professional ethics and to combat corruption in justice and corrections settings need to be supported and stepped up over the long term, in order to bolster the low level of public confidence in the justice system and the legitimacy of the State. While the fight against terrorism, through the apprehension and prosecution of terrorism-related crimes has made significant progress in Mali with the support of MINUSMA and partners, the capacity of the authorities to identify and neutralize terrorist networks through criminal analysis and the cross-checking of files and intelligence, and to respond to the needs and expectations of victims, remains limited. Despite all the support provided, progress in the fight against impunity, particularly for international crimes and conflict-related sexual violence, is limited and eagerly awaited, with an approach more focused on the rights of victims and survivors, in the spirit of the Peace Agreement. Investigations into these cases are still under way, and no convictions have yet been handed down.



The lessons learned include the following:

- Any result or progress requires national ownership if it is to have a lasting impact. The anchoring of the Mission's support to the priorities of the justice sector, and linkage with other actors and sectoral policies in certain areas, such as counterterrorism, prevention of violent extremism and prison security, are likely to leave a lasting impact.
- The political commitment of stakeholders to implementing certain provisions of the Peace Agreement was crucial in achieving results in the area of the rule of law and justice, as was the Mission's monitoring and advocacy role, accompanied by technical and financial support.
- By implementing joint rule of law programmes and projects, the United Nations system has been able to provide coherent and coordinated support to the Malian authorities, in line with national priorities and United Nations strategic frameworks. This joint effort has also fostered short- and medium-term programmatic planning, beyond the annual planning period required for peacekeeping operations, as well as complementarity in interventions and geographic scope.
- The establishment of coordination mechanisms within the Mission and between MINUSMA and the United Nations country team has enabled planning within the framework of joint projects, in the areas of security and rule of law, and efforts to restore and extend State authority have enabled a regular exchange of information, and to some extent coordinated planning. These mechanisms could, however, have benefited from being more firmly rooted in a joint analysis of the political and security situation, with a stronger involvement of the Mission's senior leadership (and United Nations agencies where appropriate), to enhance effectiveness and efficiency in mandate implementation.

- MINUSMA-JCS could have more explicitly articulated its contribution to the implementation of the Women, Peace and Security (WPS) agenda, and in particular to the National Action Plan for the implementation of Security Council resolution 1325 (2000) and subsequent resolutions. The Section's work in support of the WPS agenda and to the promotion of gender equality and women's empowerment could have been defined and strengthened in closer collaboration with the Mission's gender component, the Office of the Senior Women Protection Advisor, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the focal points of the Ministry of Justice and Human Rights on these issues as well as the Ministry for the Promotion of Women, Children and the Family.
- The withdrawal of MINUSMA could jeopardize or even reverse the progress made in these key areas for the stabilization of Mali, with a definite impact on the country's peace and security, if these efforts are not pursued in the short, medium and long term in support of the peace process, the national policy to prevent and combat violent extremism and terrorism, the fight against impunity for serious crimes and access to justice for the people of Mali. A new page is being turned, presenting Mali with the opportunity to fulfil its commitment outside the peacekeeping framework.



For the Malian authorities, country team partners and technical and financial partners, options and opportunities in terms of cross-cutting issues could include the following areas:

- **The parties' commitment to implementing the provisions of the Peace Agreement, particularly those relating to the rule of law, justice and reconciliation, will continue to be crucial to lasting peace and security in Mali, as will the monitoring and advocacy role of the United Nations system, including the United Nations Office for West Africa and the Sahel (UNOWAS), upon the Mission's departure.**
- With the withdrawal of MINUSMA and the implementation of the programme in support of the stabilization of Mali by strengthening the rule of law (PROSMED) by the country team – essentially the United Nations Development Programme (UNDP), UN-Women and the United Nations Office on Drugs and Crime (UNODC) – there is an **opportunity to further regionalize the support available for justice and to encourage the exchange of best practices with the countries of the Sahel and the subregion, and build linkages with other relevant sectoral policies**, including in the fields of security, health and the promotion of the rights of women and children, through the humanitarian-development-peace nexus approach.
- Through joint implementation by the country team, greater emphasis could be placed on **articulating the contribution** of support from the various United Nations **entities to the implementation of the National Action Plan for the implementation of Security Council resolution 1325 (2000)** and subsequent resolutions on the WPS agenda in Mali for the period 2019–2023. This is due for renewal in 2024 and could **explicitly include and incorporate the joint communiqué on conflict-related sexual violence**, which was concluded between the United Nations and the Republic of Mali on 1 March 2019. On this last point, collaboration could be maintained with the United Nations Team of Experts on the Rule of Law and Sexual Violence in Conflict via the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict.



For the Malian authorities, country team partners and technical and financial partners, options and opportunities in terms of specific thematic issues could include the following areas:

- Consider developing a **multisectoral national policy for the restoration and extension of State authority**, taking into account the security situation, **accompanied by an action plan and the establishment of an interministerial committee** to coordinate its implementation, **as well as incentives to promote the presence of justice and corrections authorities, including measures to recruit more female personnel**, a personnel rotation plan, and temporary measures to enable minimum justice services in the centre and northern regions.
- **Continue efforts to adopt, disseminate, publicize and implement the revised texts** of the Criminal Code and the Code of Criminal Procedure; the draft legislation on the role of cadis and traditional authorities in the delivery of justice; the two laws on trafficking in persons and migrant smuggling, and the draft code of military justice; as well as the **effective implementation of constructive complementarity between formal and traditional justice mechanisms**.
- Pursue efforts to **implement the national policy to prevent and combat violent extremism and terrorism, including its road map for prison settings**.
- Continue efforts to **combat impunity for serious crimes**, in particular crimes linked to terrorism, transnational organized crime, international crimes, including conflict-related sexual violence, and follow up on prosecutions and trials for crimes committed against MINUSMA personnel, in accordance with Security Council resolution 2589 (2021), with **targeted technical and financial support from partners**. In this context, promote a gender-sensitive approach based on the rights of victims and survivors, including on issues of protection, participation and reparation; and ensure the dissemination, ownership and **implementation of circular No.**

644/MJDH-SG of 12 September 2022 determining the criminal justice policy and the prosecution strategy. In this respect, collaboration could be maintained through between the United Nations system in Mali and the Office of Rule of Law and Security Institutions (OROLSI) through the Global Focal Point for the Rule of Law (GFP), including its Justice and Correction Standing Capacity, with a view to providing targeted and punctual support, as needed.

Note of gratitude - MINUSMA-JCS would particularly like to thank the Ministry of Justice and Human Rights and all the staff of its technical departments for their excellent collaboration in implementing its mandate. The Section has also benefited from close coordination and cooperation with other Mission components and partners of the country team, in particular UNDP, UN-Women and UNODC, as well as the United Nations Interregional Crime and Justice Research Institute (UNICRI), the United Nations Children's Fund (UNICEF), the European Union Common Security and Defence Policy mission in Mali (EUCAP Sahel Mali), the United States Agency for International Development (USAID)-supported Mali Justice Project and the United Nations Team of Experts on the Rule of Law and Sexual Violence in Conflict. MINUSMA-JCS expresses its gratitude to Belgium, Canada, Denmark, France, Germany and the Kingdom of the Netherlands for their trust, financial support and continued interest in supporting these key areas for peace and security in Mali.

Thematic summaries

Strategic area 1 - Analysis of achievements, lessons learned, challenges and opportunities related to support for the restoration and extension of State authority in the justice sector

1.1. Return, deployment and securitization of justice and corrections institutions in conflict-affected areas and in the centre

Key achievements:

- **33 justice and corrections facilities rehabilitated, secured, equipped and/or built.**
- **36 of the 38 courts in the north and centre operational or partially operational** (in terms of viable facilities, deployment of judicial authorities and holding of court hearings), including seven (7) of the eight (8) relocated courts.
- **11 of the 18 prisons operational** (in terms of viable facilities, deployment of prison authorities, presence of detainees and conduct of hearings) in the Bandiagara, Douentza, Mopti, Gao and Timbuktu regions, **holding 628 detainees, including 10 women and 23 minors.**

Main challenges and lessons learned:

- **Functionality of the courts is highly variable depending on the security situation**, but generally higher in the centre than in regions of the north, and in the main cities than in peripheral or rural areas.
- **Persistent lack of women's representation within the justice sector in the centre and north** despite the adoption of Act No. 2015-052 of 18 December 2015, establishing measures to promote gender equality in access to appointed and elected positions.

Main options and opportunities for follow-up:

- **Develop a multisectoral national strategy for the restoration and extension of State authority**, taking into account the security situation, together with an action plan and the **establishment of an interministerial committee** to coordinate its implementation.
- **Consider adopting incentives to promote the presence of judicial authorities**, including a personnel rotation plan, temporary measures to enable a minimum justice service in regions in the centre and north, and measures to improve living, security and working conditions for justice and corrections personnel, such as the payment of a risk premium in insecure areas and training to raise awareness of safety and security for State agents; and to study initiatives applied in the subregion in order to address the absence or intermittent presence of the authorities.
- **Take measures at the local level to implement Act No. 2015-052**, establishing measures to promote gender equality in access to appointed and elected positions, in order **to increase the representation of women** in the justice sector.

1.2. Improved functioning of the justice and corrections system

Main achievements:

- **Support to the organisation of 28 mobile court sessions** through which some 140 civil, criminal and land cases were processed, and **for two (2) special criminal trial sessions of the Court of Assizes in Mopti**, processing 62 criminal cases and convicting 94 people.
- **Establishment of three (3) consultation frameworks for actors involved in the criminal justice system**, formalized in Gao and Mopti by the drafting of their internal regulations.
- **Implementation of a pilot statistical information system** in the justice sector, for the northern and centre regions.
- **Development of a curriculum for the initial and continuous training of corrections personnel** in support of Mali's National Legal Training Institute and training of trainers, in the absence of a national academy for corrections officers.
- **Drafting of standard rules of procedure for corrections institutions** in Mali.
- **Meilleure gestion de la détention à travers l'opérationnalisation de l'Application de gestion informatisée des détenus en établissement conformes aux Règles Mandela (AGIDERM)** dans sept (7) prisons pilotes et étendue à 37 des 60 établissements pénitentiaires avec l'appui du PNUD.
- **Improved detention management through the operationalization of a computerized inmate management application compliant with the Nelson Mandela Rules (AGIDERM)** in seven pilot prisons, extended to 37 of the 60 corrections institutions with UNDP support.
- **Institutionalization of the Management Committee for Production Activities in Corrections and Supervised Education Facilities (COGES)** in all functional corrections institutions.
- **Development, adoption and implementation of integrated defence and security plans for all corrections institutions** in Mali.

Main challenges and lessons learned:

- **Relevance of combining mobile courts with awareness-raising sessions** on justice to strengthen access to the law and to justice, and to encourage dialogue between the population and the judicial authorities with a view to bringing justice closer to the people.
- **Correlation between a lack of socioprofessional opportunities for inmates and security incidents** within the facilities, hence the importance of implementing social reintegration measures and programmes.
- Lack of a national strategy to reduce prison overcrowding and implement alternatives to imprisonment.
- **Importance of subjecting COGES to financial management and control procedures** to ensure transparency, ownership, the proper management of funds and the sustainability of prison production and reintegration programmes.

Main options and opportunities for follow-up:

- **Consider integrating mobile courts into national mechanisms for the organization and functioning of courts**, in line with the recommendations of the document on justice reform, and providing judicial actors with mobility kits.
- **Institutionalize consultation frameworks for actors involved in the criminal justice system and make these frameworks permanent.**
- **Introduce local recruitment and step up training for clerks**, including in file processing and information technology.
- **Pursue institutional reforms of the prison administration** within the framework of prison reform, including support to operationalize the prison administration national academy.
- **Institutionalize hygiene and health promotion committees in prisons.**
- **Ensure the implementation of alternative measures to imprisonment.**
- **Implement post-custody follow-up measures** to assess the impact of social reintegration measures.

1.3. Progress in the reform process to improve the functioning of the justice system and support the peace process

Key achievements:

- **Development of the document on justice reform** in 2014 with the technical and financial support of MINUSMA and UNDP; that document was **used to establish the emergency programme** to strengthen the judiciary and implement the Peace Agreement.
- Active participation in the Reconciliation, Justice and Humanitarian Affairs Subcommittee of the Peace Agreement Monitoring Committee, and in consultations that **fostered a common understanding among the signatory parties of article 46 of the Peace Agreement** and of the priorities for justice reform.
- Support for the **revision of the Criminal Code and the Code of Criminal Procedure.**
- Conduct of **two studies in order to gain a better understanding of the functioning of cadis and traditional justice**, with a view to identifying ways in which to enhance their role and inform the reform process.
- Support for the preparation of the **draft legislation on the role of cadis and traditional authorities in justice delivery**, which is currently being finalized.

- Support for the **preparation of the draft code of military justice.**
- Support for the **revision of the 2012 law on trafficking in persons and related practices.**

Main challenges and lessons learned:

- **Successive changes of government and difficulties in reaching consensus on aspects of the texts**, slowing down the reform process.
- **The Ministry of Justice and Human Rights-led process combining the holding of inclusive consultations with stakeholders, including parties signatory to the Peace Agreement, dialogue with actors from the formal and traditional justice systems, and the establishment of a technical committee of experts as a good practice** enabling the advancement of progress while building greater trust among the various actors.

Main options and opportunities for follow-up:

- **Pursue efforts to adopt, disseminate, publicize and implement the revised texts** of the Criminal Code and the Code of Criminal Procedure; the draft legislation on the role of cadis and traditional authorities in the administration of justice; the two laws on trafficking in persons and migrant smuggling; and the draft code of military justice.
- **Involve the university and academic community** more closely in the reform process.

1.4. Strengthened access to the law and justice, including by strengthening conflict resolution and prevention mechanisms

Key achievements:

- **Distribution of 400 copies of a three-volume compendium of the laws of Mali** on constitutional, civil, criminal and administrative matters and 1,000 USB flash drives to judicial personnel.
- **Distribution of 18 legal kits, each containing 108 books, to improve access to the law** for lawyers, paralegals and other legal professionals, mainly in northern jurisdictions.
- **Holding of numerous awareness-raising events and open days in northern and central Mali** to promote and raise awareness of the role of the justice system and to make it accessible to remote communities.
- **Training in agricultural and land law for 78 legal professionals and members of land commissions.**
- **Establishment of a framework for consultation and exchange between formal and traditional justice actors in northern Mali**, to contribute to trust-building and constructive complementarity.
- **Study on the interconnection between inter/intracommunity conflicts and land disputes** in northern and central Mali.

Main challenges and lessons learned:

- **Failure to enforce Act No. 01-082 of 24 August 2001 on legal aid and the related implementing decree of 2006** providing for the installation of a legal aid office in each jurisdiction.

- Implementation of the provisions of the Peace Agreement relating to the **incorporation of traditional and customary mechanisms**.
- **Risk of reversing progress made in the implementation of the Peace Agreement in the absence of sustained support for the implementation of constructive complementarity** between formal and traditional justice actors.

Main options and opportunities for follow-up:

- **Continue to support local actors**, including the Bar Association, **in order to strengthen and sustain access to the law and to legal assistance and aid**.
- **Continue efforts to adopt, disseminate and implement a law on the role of cadis and traditional authorities**, and ensure the effective implementation of constructive complementarity between formal and traditional justice actors.
- **Conduct research on the role of women in the traditional justice system**.
- **Disseminate the study on the interconnection between inter/intracommunity conflicts and land disputes** in northern and central Mali, and **implement the study's key recommendations**, replicate the study in other pilot areas and learn from best practices in the subregion.

1.5. Strengthened oversight and accountability of justice and corrections institutions, and progress in combating corruption

Key achievements:

- **Provision of support for 17 inspection missions** in areas affected by insecurity in northern and central Mali.
- Provision of support for **monitoring visits to 26 prisons and four regional departments of the National Directorate for Prison Administration and Supervised Education** in order to assess compliance with the relevant legislative provisions and international standards.
- **Proportion of judicial and prison services inspected more than doubled in three years**, thanks in part to support from MINUSMA, UNDP and partners.
- **Development and distribution of inspection manuals** within the judicial and prison services.
- **Mali joined the Global Judicial Integrity Network in 2021**, becoming a pilot country for training in judicial ethics.
- Provision of support for **the drafting of an interpretative circular on the Code of Ethics for Magistrates**.
- **In cooperation with UNODC**, identification, analysis and assessment of the prison sector's vulnerability to corruption, followed by **the development of a plan to mitigate high-priority corruption risks**.
- **Provision of support for the establishment of a committee to prevent corruption in prison settings** at the national level.

Main challenges and lessons learned:

- **Insecurity in northern and central Mali and along certain routes**, making it difficult to conduct inspection missions in affected areas.
- **Insufficient numbers of inspectors and support staff, including women**, within the Judicial Services Inspectorate.

- **Follow-up to inspection missions** conducted by the Judicial Services Inspectorate, with implementation of its recommendations dependent on effective feedback and follow-up of findings and recommendations within the Ministry of Justice and Human Rights.
- **Shortcomings in oversight structures and mechanisms**, such as limited control of magistrates over judicial police officers.

Main options and opportunities for follow-up:

- **Increase the workforce of the Judicial Services Inspectorate, in particular the number of inspectors and support staff, including women.**
- **Implement the activities contained in the action plan to mitigate high-priority corruption risks.**
- **Formalize the training courses on ethics and integrity** and deliver them with the help of trained trainers.
- **Continue, finalize and disseminate the study on oversight mechanisms** in the justice sector.

Strategic area 2 - Analysis of achievements, lessons learned, challenges and opportunities related to support for the fight against impunity for crimes that risk destabilizing the peace process and the management of people detained for such crimes

2.1. Establishment of an institutional, legislative and regulatory framework for the prosecution of terrorism-related crimes, international crimes and transnational organized crime

Key achievements:

- **Operationalization of the Specialized Judicial Unit in 2017**, with comprehensive support from the United Nations system, including MINUSMA through the GFP.
- **Drafting and adoption of Decree No. 2015-0723/P-RM of 9 November 2015 establishing the organization and operating procedures of the Specialized Judicial Unit to Combat Terrorism and Transnational Organized Crime**, with technical support from MINUSMA.
- **Drafting and adoption of Act No. 2019-050 of 24 July 2019** amending Act No. 01-080 of 20 August 2001, as amended, on the Code of Criminal Procedure, which **extended exclusive jurisdiction of the Specialized Judicial Unit to international crimes**, including war crimes, crimes against humanity and genocide, in addition to crimes related to terrorism and transnational organized crime, with technical support from MINUSMA.
- Building and strengthening of **investigation and prosecution expertise through targeted training and mentoring** under the joint MINUSMA-UNODC project.
- **Support for the drafting and adoption of circular No. 644/MJDH-SG of 12 September 2022 determining the criminal justice policy and the prosecutorial strategy** for the fight against terrorism and crimes under international criminal law in Mali.

- Introduction of case management software for clerks of the Specialized Judicial Unit and goCASE crime analysis software as part of the joint MINUSMA-UNODC project.

Main challenges and lessons learned:

- **Mobilization of political advocacy efforts** for the adoption of a legislative framework supplementing the law on the establishment of the Specialized Judicial Unit in the light of political changes and crisis situations.
- **An overwhelming amount of support from partners**, which affected the functioning of the Specialized Judicial Unit, leading to some duplication of effort and a lack of ownership by and financial commitment from the authorities.
- Inadequate legal framework **and necessary reform of Malian criminal legislation**
- **Coordination of prosecution efforts and ownership of the circular** of 12 September 2022 determining the criminal justice policy and the prosecutorial strategy.
- Close collaboration between UNODC and MINUSMA, which has enabled the **provision of counter-terrorism expertise and the consolidation of experiences and best practices** from the subregion.

Main options and opportunities for follow-up:

- **Ensure the coherence and coordination of support from partners** for the work of the Specialized Judicial Unit.
- **Support the implementation and ownership of the circular** determining the criminal justice policy and the prosecution strategy, including through the organization of work sessions and **targeted training, and the creation of an inventory of cases** involving terrorism-related crimes and international crimes.
- **Strengthen the criminal analysis competencies of the Specialized Judicial Unit**, including through the operationalization of the goCASE crime analysis software.
- **Operationalize the regional branch of the Specialized Judicial Unit in Mopti** and consider establishing additional branches.
- **Support the creation of a database of case files of the Specialized Judicial Unit.**

2.2. Progress in the processing of criminal cases, in particular those relating to terrorism and international crimes, including conflict-related sexual violence and crimes against MINUSMA personnel

Key achievements:

- **255 people tried for terrorist crimes, including 208 convicted** with sentences ranging from 18 months' imprisonment to death (automatically commuted to life imprisonment), following arrests by the Barkhane force, MINUSMA and the Malian Armed Forces, as well as by joint patrols from 2013 to 2022.
- **Support for a special assizes session on serious economic and financial crimes** in 2021 during which 18 cases were tried involving 54 people prosecuted for terrorist crimes, resulting in 27 convictions.
- **Evaluation of the national judicial response to conflict-related sexual violence crimes** committed in the north of Mali in 2012 and 2013, and **prioritization of four**

(4) emblematic cases involving a total of 158 victims, in cooperation with the United Nations Team of Experts on the Rule of Law and Sexual Violence in Conflict.

- **Identification and monitoring of attacks that resulted in the death of 171 MINUSMA personnel** and 741 persons wounded, leading to the trial of two (2) cases and the **conviction of 10 people for the murder of six (6) peacekeepers**.
- Establishment of an internal MINUSMA working group on the judicial response to cases relating to crimes against peacekeepers.
- **Holding of the first two sessions of the Mopti military court** since its creation in 1995, that enabled the examination of 37 cases.

Main challenges and lessons learned:

- **Insecurity at investigation sites and weaknesses in the collection of evidence** following military operations, hampering the proper conduct of investigations and inquiries.
- **Risks of political interference** in the processing of legal cases, e.g. extrajudicial release of prisoners prosecuted for terrorist acts and prisoner exchanges.
- **Allegations of human rights violations** committed in the context of counter-terrorism operations.
- **Problems with the transmission of information, evidence and coordination**, as well as the rotation of Mission personnel, **that impacted on investigations into attacks against MINUSMA personnel**.
- **Mobilization and advocacy** required at the political level and among judicial authorities to speed up the processing of international crimes, including conflict-related sexual violence crimes.
- **Coordination problems between the Specialized Judicial Unit and the ordinary courts** that are often the first to intervene at terrorist crime scenes.

Main options and opportunities for follow-up:

- While continuing to support investigations and prosecutions for terrorism-related crimes and transnational organized crime, **strengthen advocacy efforts and provide specific expertise and capacity-building on international crimes, including conflict-related sexual violence crimes**.
- **Continue to support investigations into and prosecutions of those responsible for attacks** against MINUSMA personnel, and **establish and designate a United Nations system focal point to monitor the judicial response to those attacks**, with experience in investigating and prosecuting serious crimes in order to ensure follow-up to cases.
- Strengthen the human rights-based and victim-centred approach, including by **implementing victim and witness protection measures**.
- **Analyse the risks of conducting counter-terrorism operations and their implications for support to judicial authorities** in terms of investigations and prosecutions, in line with the Human Rights Due Diligence Policy.

2.3. Management of high-risk detainees and preventing and combating violent extremism and radicalization in prisons

Key achievements:

- Construction and **operationalization of two (2) reinforced security areas in Dioïla and Koulikoro prisons** with a combined capacity of up to 210 high-risk detainees (150 and 60 respectively).
- **Rehabilitation of two (2) high-security blocks and upgrading of secured areas at the Bamako Central Prison** to accommodate up to 100 high-risk detainees.
- Support for the development and execution of the **road map and action plan for the implementation of the national policy to prevent and combat violent extremism and terrorism** in Malian prisons.
- Support for the drafting of a **decree establishing a service to collect information on and detect signs of radicalization in prisons.**

Main challenges and lessons learned:

- **Lack of facilities with capacity for and equipped to manage the large numbers of high-risk detainees in the north and centre** of the country.
- **Importance of taking into consideration security issues and social dynamics when identifying sites for high-risk detainees**, in particular with regard to the presence of defence and security forces near the facility.

Main options and opportunities for follow-up:

- **Pursue the execution of the road map for the implementation of the national policy to prevent and combat violent extremism and terrorism** in Malian prisons.
- **Build a reinforced security area in the Mopti prison by the time the regional office of the Specialized Judicial Unit becomes operational**; build such facilities in jurisdictions where other regional offices could be set up in the future (e.g. Gao and Ségou regions).
- **Develop and systematize the use of a gender-sensitive classification and risk assessment system.**