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Recommendation for support to the G5 Sahel Joint Force (G5S JF) for the period 1 January 2022 – 30 June 2024 under the assistance measure taking the form of a general programme for support to the African Union under the European Peace Facility in 2021**1. Summary**

The African Union Commission (AUC) has requested financial support of EUR 35 million to support the G5 Sahel Joint Force (G5S JF) between 1 January 2022 – 30 June 2024.

The High Representative (HR) recommends that the PSC approve the provision of this support under the assistance measure taking the form of a general programme for support to the AU under the European Peace Facility (EPF) in 2021¹.

2. Background***2.1. Context analysis and rationale***

The Sahel is facing numerous, interlacing challenges in a fast-evolving environment: organised armed groups taking advantage of frustrations arising from the lack of social and economic opportunities (especially for youth), political instability with weak and failing governance systems, and the lack of public services and state presence, especially in remote areas historically neglected by central authorities. Civilians are caught between armed groups, intercommunal violence and military operations that limit their access to livelihoods, basic social services and humanitarian assistance. Serious allegations of human rights violations, including extrajudicial killings, rapes, arbitrary arrests, illegal confiscations of goods mainly committed by armed groups or national armed forces², as well as forced displacement of civilians are numerous. Impunity is a major concern, and intra and intercommunity tensions are on the rise.

The Malian crisis of 2012 led to the deployment of French, European and UN military forces from 2013 onwards to combat terrorism and maintain stability at the request of the Malian authorities. Insecurity particularly affects the Liptako-Gourma region (the three-border area between Mali, Burkina Faso and Niger), where JNIM³ and ISGS⁴ are present. Insecurity is increasingly spreading to the northern parts of the Gulf of Guinea coastal states, and which were previously unaffected.

¹ Council Decision (EU) 2021/1210 of 22 July 2021.

² Note on trends of violations and abuses of international human rights law and violations of international humanitarian law in Mali, MINUSMA - 1 April – 30 June 2021.

³ Jama'a Nusrat ul-Islam wa al-Muslimin (Support Group for Islam and Muslims), the al-Qaeda affiliated Support Group for Islam and Muslims.

⁴ Daesh (Islamic State in the Great Sahara).

Created in 2013, the United Nations peacekeeping mission, the Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), has deployed about 13,000 military and 1,700 police. It is working to implement the 2015 Agreement for Peace and Reconciliation in Mali, supporting the disarmament, demobilization and reintegration (DDR) process for ex-combatants, as well as stabilisation and the restoration of state authority in the centre. It also provides logistical support to G5SJM operations.

In addition, in response to the growing instability and insecurity in the region, Burkina Faso, Chad, Mali, Mauritania, and Niger created the G5 Sahel in 2014, and followed by setting up a G5SJM in 2017. The G5 Sahel, as a regional coordination institution, has a development and security objective. On 7 February 2017, at the third Summit of the G5 Sahel, Heads of states decided to create the G5SJM to fight terrorism, transnational organized crime and human trafficking in the region. On 8 March 2017, G5 Sahel Chiefs of Staff approved the Force's Concept of Operations, which was subsequently endorsed by the AU Peace and Security Council on 3 April 2017.

In its Resolutions 2391 (2017) and 2480 (2019), the UN Security Council affirmed its strong commitment to the sovereignty, independence, unity and territorial integrity of the countries of the Group of Five for the Sahel (G5 Sahel), namely Burkina Faso, Chad, Mali, Mauritania and Niger, commended the contribution of bilateral and multilateral partners to strengthen security capacities in the Sahel region, notably the role of the European Union missions (EUTM Mali, EUCAP Sahel Mali and EUCAP Sahel Niger) in providing training and strategic advice to national security forces in the Sahel region, welcomed the efforts of the French forces to support the operations of the G5SJM, and called for adequate coordination, exchange of information and, when applicable, support between MINUSMA, the Malian Armed Forces, the G5SJM, French Forces and the European Union missions in Mali.

The humanitarian situation in the Sahel countries continues to deteriorate at an alarming pace, aggravated by Covid-19. According to DG ECHO, in 2021, 32.4 million people in Burkina Faso, Cameroon, Chad, Mali, Mauritania, Niger and Nigeria will need assistance and protection, almost six million more than one year ago. Four million people are estimated to need emergency food assistance in 2021, with 7.7 million forcibly displaced.

In order to tackle the situation, two new international initiatives have been established to support the G5 Sahel countries in their efforts to improve the security situation:

- a. The Partnership for Security and Stability in the Sahel (P3S), initiated by France and Germany during the G7 Summit in Biarritz in August 2019, aims to identify security needs and increase efforts in the fields of defence and internal security;

- b. The Coalition for the Sahel, which was announced at the Pau Summit on 13 January 2020 by the Heads of State of France, Burkina Faso, Chad, Mali, Mauritania and Niger. The work of the coalition is structured in four pillars with P3S representing pillar 2 and 3. The EU and the G5S are together in the lead for these two pillars. The Coalition has established a Roadmap, which serves as a statement of intent and defines a list of action within the individual pillars.

On the political front, elections in Burkina Faso and Niger at the end of 2020 and beginning of 2021 respectively were generally successful. However, Mali and Chad (although in different situations) are undergoing transitional processes putting the democratic model at risk in the region. The EU has supported ECOWAS's mediation efforts in Mali, and the African Union in Chad. The Sahel is also the scene of competitive political interests, notably between the EU and other actors such as Russia, Turkey, Qatar and China. Algeria, in competition with Morocco, is also a key player, while others such as Egypt are increasingly interested in the Sahel region.

2.2 Current EU support to the G5S JF

The EU is engaged in the Sahel region via all its instruments. Global EU aid to the five Sahel countries over the period 2014-2020 amounted to EUR 4.7 billion (EUR 8.5 billion including EU Member States), of which more than EUR 2 billion was budget support. EU aid covers all sectors, and is delivering results in areas such as basic social services (health, education, nutrition, water and sanitation), governance, rule of law (justice, internal security forces, fiscal transparency), as well as economic resilience, agricultural transformation and infrastructure/energy. Civil society, gender equality and climate action are mainstreamed throughout the EU support.

The EU deploys three Common Security and Defence Policy (CSDP) missions in the Sahel – EUCAP Sahel Mali, EUTM Mali, and EUCAP Sahel Niger, along with a regional advisory and coordination cell (RACC) covering the Sahel region and based in Nouakchott. In addition, the EU Special Representative for the Sahel contributes actively and gives priority to regional and international efforts to achieve lasting peace, security, stability and sustainable development in the region.

As for the G5S JF itself, the European Union has provided a total of EUR 250 million through the African Peace Facility (APF) over the period 2017-2024. Several Member States are also providing voluntary contributions, including Belgium, the Czech Republic, Denmark, Finland, Germany, Luxembourg, the Netherlands, Portugal and Romania.

In addition, the EPF adopts a complementary bilateral approach to support the armed forces of the G5 Sahel countries. Notably, an EPF assistance measure benefiting the armed forces of the Republic of Mali was recently adopted by the Council.

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The APF support to the G5S JF currently comprises six components:

- i. Operational and logistical support to the G5S JF, funded by the EU and implemented by MINUSMA

Logistical support provided by MINUSMA is provided in strict compliance with the Human Rights Due Diligence Policy (HRDDP) on UN support to non-UN forces. It covers several aspects:

- Delivery of fuel, rations and food. Since the one-year extension of MINUSMA adopted by the United Nations Security Council (UNSC) in June 2020 (Res. 2531), this support is currently delivered through private companies, beyond the borders of Malian territory and directly to the deployed battalions;
 - The provision of support is conditioned to the implementation of the Human Rights Due Diligence Policy: MINUSMA conducts a careful screening of the battalion supported in order to make sure the battalion is not accused of misconduct. If an infringement occurs, MINUSMA will suspend its support until clarification is provided and action is taken by the G5 Sahel Force Commander.
 - MINUSMA provides refresher trainings to the battalions on human rights and international humanitarian law.
 - Construction by MINUSMA of temporary infrastructure for the joint theatre command post (PCIAT), built after the attack of the PCIAT in Sevare where it was originally located.
 - Provision of casualty evacuation (CASEVAC) and medical evacuation (MEDEVAC).
- ii. Support for the Establishment and Implementation of a Human Rights and International Humanitarian Law Compliance Framework for the G5 Sahel Joint Force Operations funded by the EU and implemented by the UN Office of the High Commissioner for Human Rights (UN-OHCHR)

The Compliance Framework supports the G5S JF in developing International Human Rights Law (IHRL) and International Humanitarian Law (IHL) compliant screening and selection processes, trainings, rules and regulations, as well as the integration of IHRL and IHL norms and standards and protection of civilians into the planning, conduct and review of military operations.

- iii. Support to the G5S JF through the provision of goods, services and works, funded by the EU and implemented by Expertise France

This component aims at:

- Contributing to the preservation of the operational capacity of the Joint Force and optimize its resilience;

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- Contributing to increased tactical and strategic mobility of battalions;
- Supporting the Joint Force in the area of "Command and Control" (C2) to ensure its permanence and integrity;
- Providing technical and logistical support to the Joint Force in the area of engagement readiness.

iv. Strengthening the G5 Sahel Defence and Security Support and Governance Structure, funded by the EU and implemented by GIZ

This component aims at:

- Contributing to improving the capacity and functioning of the G5 Sahel Defence College and to improving the quality of its education.
- Contributing to strengthening the capacity and functioning of the G5 Sahel Joint Force Support Committee.
- Contributing to strengthening the capacity of the Defence and Security Office of the G5 Sahel Permanent Secretariat to ensure the coordination of G5 Sahel defence and security activities.
- Improving the capacity and functioning of the Sahel Threat Analysis and Early Warning Centre (CSAMAP).

v. Military justice support program, funded by the EU and implemented by Expertise France

This component aims at:

- Adopting a systemic approach towards the fight against impunity. It will provide the Force with the capacity to tackle violations committed by the G5 Sahel Joint Force, building on what has been implemented under the Compliance Framework.
- Strengthening the capacities of the Provosts and the Legal Advisors (LEGADS), including by increasing their number and presence at the battalion level.
- Putting in place a Provost command in order to guarantee the independence of the Provosts from the military chain of command.
- Strengthening the territorial network in order to reinforce the link with the national justice systems. As the battalions of the G5SJSF are national, it is necessary to strengthen the link with national judicial institutions (e.g. the nearest first degree court) and the internal security forces (e.g. the Gendarmerie Commanders) closest to the G5 Sahel Joint Force Command Posts.

vi. Support for the setup of the Casualty and Incident Tracking and Analysis Cell (CITAC), funded by the EU and implemented by CIVIC.

The CITAC was officially launched by the Force in Bamako in early 2021. CITAC provides the Force with a tool to monitor potential cases of abuses *in situ* in order to provide the necessary elements for

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action for the Force Commander. The programme is complementary with the military justice programme. CITAC mainly supports the activities of the LEGADS and the Provosts who use the CITAC as a monitoring and reparation for the victims of violations mechanism that belongs to the Force itself.

In line with the EU Integrated Approach, this Action under the assistance measure taking the form of a general programme for support to the AU under the EPF in 2021 will build upon the six programmes currently funded under the APF, notably to ensure a proper monitoring of the conduct of the Force in the field. De facto, the Compliance Framework already in place provides the general legal framework for the conduct of operations of the Force. It includes specific items on international humanitarian law and international human rights law to be introduced in the planning of operations by the Force. Adding to this, the “Military Justice” programme running until 2024 aims at reinforcing the capacities of the network of the Legal advisors as well as the Provost corps of the Force. Finally, the CITAC, as a monitoring mechanism that belongs to the Force itself, allows the Force to react rapidly in case of exactions. MINUSMA, through its logistical support, is able to implement its Human rights due diligence policy at battalion level, prior to delivering its logistical support. This allows MINUSMA to check on the conduct of the battalions and their respect of international humanitarian law and human rights law in the conduct of operations. Adding to the implementation of the HRDDP by MINUSMA, refreshers trainings in international humanitarian law and human rights law are delivered at the battalion level by MINUSMA. In August 2021, MINUSMA deployed its Human Rights and logistics officers in order to assess the needs in terms of trainings.

This will also address the need to take into account due diligence in the support provided by the EPF, in line with the FAC conclusions of 15 November 2021⁵.

3. AU request for support

On 20 October 2021, the G5SJJF gathered in a virtual *Comité de Défense et Sécurité extraordinaire* and agreed upon a request for support to the EU, through the African Union. In a note verbale dated 03 November, the African Union transmitted the request to the EU.

The proposed action fits under the Assistance Measure taking the form of a general programme for support to the African Union under the European Peace Facility in 2021, for a total amount of EUR 35 million, for the period 1 January 2022 – 30 June 2024. The requested support is also in line with the objectives defined in the Roadmap of the Coalition for the Sahel.

The envisaged support aims at enhancing two main lines of effort:

⁵ Outcome of the Council meeting, 3826th Council meeting, Foreign Affairs, Brussels, 15 and 16 November 2021, https://www.consilium.europa.eu/media/53062/st13934-en21_v3.pdf

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i. Contribute to strengthening resilience (20 MEUR)

- Increase battalions' intelligence:

a. Support tactical intelligence manoeuvre of battalions

Acquisition of additional unmanned aerial vehicles in order to enhance the capabilities currently dedicated to back up intelligence capabilities at the battalion level

b. Integrate air support into battalion manoeuvre

Equip Tactical Air Control Party groups with the essential means to integrate air support into ground manoeuvre and control the air support available to them.

- Enhanced C-IED jamming and detection capabilities through the provision of:

a. Additional jammers

b. Additional staffing of detectors

c. Additional provision of marking kits with GPS

- Reinforcement of the night observation capabilities of combat companies through the provision of:

Additional night vision devices, complementing the items already provided under the APF

- Infrastructure at sector level

Carry out phase 2 of the work on the East and West Sectors Posts of Command

ii. Contribute to increasing maintenance capacities of equipment with a view to ensuring its sustainability (15MEUR)

- Increase of capacities to ensure maintenance of equipment benefitting the eight battalions of the Force

a. Setting up a "mobile" and periodic maintenance program for EU provided armoured vehicles, optronic and C-IED equipment and drones.

b. Trainings at the battalion level for maintenance specialists

c. Improve capacities to store fuel, rations and equipment. This will consist in providing the relevant infrastructure and training, based on a case-by-case analysis.

4. Assessment of the High Representative

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The Assistance Measure will build on the achievements of and foundations laid under the APF to go further in addressing some of the most pressing non-lethal equipment and infrastructure needs of the G5S JF in order to support the operations conducted by the Force. Specifically, it will contribute to the following priorities:

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- a. Enhancing the C-IED detection capabilities of the Force/the battalions;
- b. Providing the Force with missing infrastructure to operate in the most efficient manner;
- c. Providing the Force with the means to perform the necessary maintenance of the equipment received under the APF and to be received under the EPF;
- d. Reinforcing the night observation capabilities of G5 military units as well as their intelligence capabilities;
- e. Reinforcing the accountability of the battalions of the G5S JF receiving EU support towards the national chain of command and the Force Commander.

Based on MINUSMA's last quarterly note on trends in human rights violations and abuses in Mali⁶, the majority of violent incidents against civilians were perpetrated by the Jama'at nusrat al-Islam wal Muslimin (JNIM), the Islamic State in the Greater Sahara (EIGS), and other similar groups, which killed, injured, or abducted 54 per cent of the victims recorded nationwide. This was followed by community-based militias and self-defence groups (20 per cent). Human rights violations were also documented during security operations conducted by international and regional forces. According to the above-mentioned report, these accounted for 6 per cent of the total number of victims during the reporting period.

On the basis of these risks, there is a need to include an adequate and robust system of safeguards⁷ and mitigating measures to significantly minimise the possibility of creating negative externalities through this EU support. The proposed system has been designed and used under the existing APF-funded support to the G5S JF and is being further strengthened based on lessons learnt. It will rely on the relevant monitoring programmes funded under the APF, which are the Compliance Framework, the military justice and the CITAC programmes. The programmes will be running during the period of implementation of the proposed EPF action.

It will notably include the following elements:

- Identification by the EU of the recipients of the G5S JF battalions, notably to guarantee the strength and reliability of the official chain of command⁸;
- Provision of relevant training on International Human Rights, International Humanitarian Law (IHRL/IHL);
- In case of serious allegations or confirmed cases of breach of international law (in particular IHRL/IHL) as well as in case of misuse of procured equipment by recipient G5SJF units or soldiers, possibility to suspend and/or terminate targeted parts or the entirety of the support (article 64 of the EPF Council decision).

⁶ Note on trends of violations and abuses of international human rights law and violations of international humanitarian law in Mali, MINUSMA - 1 April – 30 June 2021.

⁷ See para. 4.2.

⁸ The reinforcement of the chain of command from the G5S JF Commander to the battalions has been one of the major issues that the Force has been facing so far.

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- In case the political and security situation deteriorates during the implementation period, possibility to suspend or terminate the EPF support provided under this recommendation.

The requested support will comply with relevant legal instruments and best practices based on international and EU rules, standards and policies in the area of the supply of military equipment not designed to deliver lethal force and respect of international law, IHRL/IHL. It will build on the achievements of and foundations laid under the APF to go further in addressing some of the most pressing equipment and infrastructure needs of the G5SJV in order to support the operations conducted by the Force.

EUTM Mali is mandated to “support the G5 Sahel through making the G5 Sahel Joint Force and the national armed forces in the G5 Sahel countries operational. For that purpose, the Mission shall provide the G5 Sahel Joint Force and national armed forces in the G5 Sahel countries with military advice, training and mentoring, through non-executive accompaniment up to the tactical level”. Additionally, EUTM has signed a MoU with ICRC to better coordinate and enhance IHL and IHRL trainings delivered to the national armed forces of the G5 Sahel countries. Consequently, the Mission contributes to the EU situation awareness and to the reinforcement of the G5 Sahel Joint Force chain of command accountability.

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5. Recommendation for support

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In accordance with Article 59 (7) of Council Decision 2021/509, the HR recommends to the PSC to approve support to the G5S JF for the period 1 January 2022 – 30 June 2024 amounting to EUR 35 million under the Assistance Measure taking the form of a general programme for support to the AU under the EPF in 2021.

This will ensure that there is no gap in EU support to the G5S JF as funding for the action is taken over by the EPF. In line with this objective, the support will be implemented by Expertise France in close coordination with MINUSMA. Expertise France and MINUSMA are the current implementing partners of the support to the G5 Sahel Joint Force when it comes to equipment, infrastructure and logistics.

In order to avoid any interruption in the provision of EU support to the G5SJF, the proposed recommendation will follow the current funding model in place since 2017. In order to ensure that the provided support responds to the most pressing needs and priorities of the units and its effectiveness on the ground, appropriate funding arrangements need to be in place. Hence, the appropriateness of such arrangements has to be reassessed together with the African partners in early 2022.