

The ECOWAS Mediator

and

The National Committee of Adjustment and Democracy in the Restoring state

Whereas a return to constitutional normality requires compliance with the constitution of 25 February 1992 which, in Article 36 organizes the Acting President of the Republic in case of vacancy or incapacity.

Recalling that Article 36 provides that, “When the President of the Republic is temporarily unable to fulfill his duties; his powers shall be provisionally exercised by the Prime Minister. In case of a vacancy of the Presidency of Republic for some unforeseen, disruptive cause that is an absolute or unavoidable obstacle, noted by the Constitutional Court, and the President of the National Assembly and the Prime Minister, the functions of the President of the Republic shall be carried out by the President of the National Assembly.

A new process for election of a new president for a new period of five years shall then commence.

The election of the new President shall take place between twenty-one and forty days after the official recognition of the vacancy or preventative obstacle.

In every case of a preventative obstacle or vacancy, Articles 38, 41, 42, and 50 shall not be applied.”

The ECOWAS Mediator and the National Committee of Adjustment and Democracy in the Restoring state (CNRDRE) agreed to adopt this framework agreement implementation of the solemn commitment of April 1, 2012 which reads follows.

Chapter 1: IMPLEMENTATION of the provisions of Article 36 of the Constitution

Article 1

The President of the Republic officially resigns from office

Article 2

The Chairman of CNRDRE accordance with its statutory declaration of 1 April 2012 triggers the implementation of section 36 of the Constitution of 25 February 1992.

Article 3

Accordance with the provisions of paragraph 2 of Article 36 of the Constitution, the President of the National Assembly and Prime Minister ask the Constitutional Court for a declaration of the resignation of the power vacuum.

The Constitutional Court, in reference to the provisions of paragraph 2 of Article 36 of the Constitution confirms the vacancy of the Presidency;

Article 4

President of the National Assembly is vested by the Constitutional Court as President of the

Republic acting, with a mission to organize presidential elections within the constitutional period of 40 days.

Chapter II: Establishment of organ transition

Article 5

Given the exceptional circumstances facing the country, because of the institutional crisis and armed rebellion in the north, which seriously affect the regular functioning of the institutions of the Republic and the impossibility of organizing within forty days as stipulated in the constitution, it is essential to organize a political transition that will lead to free elections, democratic and transparent throughout the national territory.

Article 6

In the circumstances mentioned in article 5 above, the signatories to this agreement agree to set up organs of transition charged with driving the transition process to the organization of presidential elections and agrees to all:

- a) A transitional Prime Minister, Head of Government, with full powers and whose mission is to lead the transition, manage the crisis in northern Mali to organize the first free elections, democratic and transparent, according to a leaf road, will be designated.
- b) A national unity government transition, composed of personalities consensual and responsible for setting the roadmap for ending the crisis in place;
- c) The Government of National Unity will work is the implementation of humanitarian assistance;
- d) The parties in consultation with all stakeholders adopt a roadmap for the transition include:
 - The time and the timing of the transition;
 - The operational tasks to be done by the different organs of transition i.e a peaceful transition;
 - The procedure for elections to organizations has the final normalization of the situation;
 - The revision of the electoral register;
- e) The role and place of the members of CNRDRE during the transition process will be defined.

Chapter III-Adoption of legislative measures accompanying

Article 7

Under exceptional circumstances that existed in the country because of war first to allow the organization of elections in good conditions drive the whole country, to strengthen social cohesion and national unity, a number of legislation accompanying the transition process will be votes by the national assembly.

- a) A general amnesty law for members of CNRDRE and their associates;
- b) A law awarding compensation to victims of war and the insurrection of 22 March 2012;
- c) A law extending the mandate of deputies to the end of the transition;
- d) A law on the first orientation program for the needs of military organization and equipment of the Army;
- e) A law establishing a Military Committee to monitor the reform of forced defense and security.

Article 8

The National Committee of Adjustment and Democracy Restoration of the State (CNRDRE) will honor this Agreement; with the ECOWAS Mediator and with the support of the international community.

Article 9

Of signatures to this Agreement, the current Chairman of ECOWAS will make arrangements for the lifting of sanctions against Mali that were made in the summit of March 29, 2012.

Article 10

Given the very worrying humanitarian situation the current Chairman of ECOWAS will make available to Mali, humanitarian assistance funds and solicit technical and financial partners of Mali and adequate humanitarian assistance of the international community.