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Mali: Rising Ethnic Tensions Threaten New Violence

Mali's newly appointed prime minister, Diango Sissoko, should take urgent measures to end rights abuses by the security forces and address rising ethnic tensions linked to the occupied northern provinces, Human Rights Watch said today. Sissoko was appointed prime minister of the country's transitional government on December 11, 2012, a day after the military forced Prime Minister Cheick Modibo Diarra – in office since April – to resign.

The occupation of the north and lack of accountability for abuses by all sides has increased ethnic tensions, Human Rights Watch said. Pro-government militias and ethnically allied youth groups have prepared lists of people in the north who would be targeted for reprisal once the government forces retook control, people who helped prepare the lists told Human Rights Watch. Those listed allegedly include combatants and supporters from factions that participated in the conquest of the north, as well as their "collaborators."

"Mali's new prime minister needs to tackle an array of human rights problems, but an abusive military and rising ethnic tensions in the country should top the list," said [Corinne Dufka](#), senior West Africa researcher at Human Rights Watch. "If not addressed, these abuses will seriously interfere with organizing national elections and worsen conditions in the north."

Human Rights Watch has conducted four research missions to [Mali](#) since April, most recently in November. Human Rights Watch has interviewed victims, witnesses and displaced residents from the Tuareg, Songhai, Peuhl, Bella, and Arab ethnic groups; members of the Ganda-Izo and Ganda-Koi militias; and members of the warring factions as well as government representatives, political and religious leaders, diplomats, journalists, and members of civil society.

The human rights situation in Mali has drastically deteriorated in 2012 following a separatist Tuareg rebellion and Islamist occupation in the north, and political upheaval generated by a March military coup, Human Rights Watch said. Human Rights Watch research in Mali since April found that security forces loyal to coup leader Capt. Amadou Sanogo have been implicated in numerous serious abuses including torture, enforced disappearance, and the intimidation of opposition voices. Outside the capital, the Malian

army has arbitrarily detained and executed mostly Tuareg and Arab men for their alleged connections to rebel groups in the north. Ethnic Tuareg separatists from the National Movement for the Liberation of Azawad (MNLA) and Islamist armed groups that have controlled northern Mali since early 2012 have also been implicated in numerous serious abuses. The Islamist groups have committed executions, floggings, and amputations as punishment, recruited children into their forces, and destroyed religious and cultural shrines.

People from various ethnic groups also told Human Rights Watch that they were concerned that ethnic tensions were being fueled by the political manipulation of ethnicity by some political and military leaders. They feared that if the tensions remained unaddressed, it could result in incidents of deadly collective punishment and ethnic violence.

On October 12, the United Nations Security Council adopted Resolution No. 2071 in response to Mali's request for an international military force to recover control over the north. Many northern residents and militiamen who spoke to Human Rights Watch expressed concern that such an intervention might be a catalyst for acts of collective punishment, particularly against the Tuareg. One said, "The danger will come from the moment the intervention kicks off."

The Malian government should acknowledge and promptly adopt programs to address the risk of ethnic violence. One Tuareg elder said, "The state must make measures to bury the hatchet. If not, people could kill each other and no one will be able to stop it."

The government of Sissoko should take all necessary steps to end abuses by the security forces and to investigate and appropriately prosecute security force members, irrespective of rank, responsible for recent abuses, Human Rights Watch said. These steps will entail bolstering the capabilities of the civilian and military criminal justice systems. The government should also urgently adopt initiatives to address rising ethnic tensions in the country, including by monitoring speech that incites violence and by addressing the grievances of all groups in the north, not just those that have taken up arms.

To address longstanding patterns of impunity in Mali, the government should establish a national independent Commission of Inquiry into the abuses during past rebellions with a view to making recommendations on accountability, and a truth-telling mechanism to explore the dynamics that gave rise to Mali's multi-faceted crisis, and make recommendations aimed at ensuring better governance and preventing a repetition of past violations. Any future negotiated settlement among the warring factions should reject an amnesty for those responsible for serious crimes in violation of international law.

"The coup in Mali has ushered in a period that entrenches the power of the gun over the rule of law," Dufka said. "The new prime minister should act promptly to reverse this situation and place human rights protections at the top of his agenda."

Abuses by the Military

In the past year, Malian soldiers have arbitrarily detained and in many cases tortured and summarily executed alleged rebel collaborators and members of rival military units. Many of these abuses were committed by security forces loyal to Cpt. Amadou Sanogo, who led the March coup against then-President Amadou Toumani Touré over his handling of the separatist rebellion by ethnic Tuareg in northern Mali, which began in January.

Malian soldiers responding to the northern rebellion and occupation also committed many serious abuses. Following international pressure, notably from the Economic Community of West African States (ECOWAS), Sanogo in April agreed to hand over power to a transitional government that would organize elections and return the country to democratic rule. However, with the backing of security forces loyal to him, Sanogo has continued to exert considerable influence, meddle in political affairs, and intimidate opposition voices, Human Rights Watch said.

Following an attempted counter-coup on April 30 against Sanogo, his security forces

forcibly disappeared at least 20 [government soldiers](#) for their alleged participation. In the early hours of May 3, these soldiers were seen being taken from Kati Barracks outside the capital, Bamako, bound and blindfolded. They have not been heard from since. Sanogo's forces also committed torture and other abuses against dozens of other government soldiers.

Those who had been detained told Human Rights Watch that they were beaten with batons, sticks, and gun butts; kicked in the back, head, ribs, and genitals; stabbed in their extremities; burned with cigarettes and lighters; and forced at gunpoint to engage in anal sex with one another. While anyone who participated in the counter-coup attempt would be legitimately subject to arrest and prosecution, the actions attributed to Sanogo's security forces were taken outside of any lawful process.

Security forces believed to be loyal to Sanogo have also engaged in a campaign of intimidation against critics of the coup leadership. Several journalists reporting on the leadership have been detained, questioned, and threatened. In July, two journalists were abducted by armed, masked gunmen, severely beaten, and dumped on the outskirts of Bamako after being warned to stop criticizing the military.

Witnesses told Human Rights Watch that in September, a local leader from Ansongo (976 kilometers from Bamako) was abducted from a hotel in Bamako by four men driving a vehicle without license plates. His whereabouts remain unknown. Neighbors of a musician who had written a rap song critical of the army described how in October numerous armed men, including several in military uniform, descended upon the rapper's home with the stated intent of detaining him. He has since gone into hiding. On November 27, alleged Sanogo loyalists from Kati Barracks entered the Agency for the Promotion of Youth Employment (APEJ) and attempted to take into custody its newly appointed director, Sina Damba Maiga.

Despite the involvement of his forces in torture and enforced disappearances, in August Sanogo was put in charge of the *Comité militaire de suivi de la réforme des forces de défense et de sécurité*, the security sector reform of the Malian army.

Malian government soldiers outside of the capital have also been implicated in serious abuses, including the arbitrary detention and extrajudicial execution of men whom they accused of collaborating with the rebel groups in the north. The majority of victims were Tuareg, Arab, or Mauritanian. On September 8, 16 Islamic preachers on their way to a religious conference in Bamako were detained and hours later executed in a military camp in Diabaly, about 430 kilometers northeast of the capital, for their alleged links with Islamist groups.

The government claimed the men had refused to stop at a checkpoint, a version contradicted by a survivor of the incident and other witnesses interviewed by the Associated Press. The man driving the vehicle that day was seen in military custody days after the killings. His family told Human Rights Watch that he has since disappeared. On October 21, soldiers executed at least eight Tuareg herders, also in Diabaly. In an October 30 statement, the Defense Ministry claimed the men were armed bandits. Family members interviewed by a Mauritanian-based human rights activist contradicted that version of the killings.

There has been no meaningful effort by the government to investigate, much less hold accountable, members of the security forces implicated in any of these incidents.

Rising Ethnic Tensions

The resurgence of armed conflict in January has been accompanied by an increase in ethnic tensions in Mali. Based on Human Rights Watch interviews with members of various ethnic groups and warring factions, the deepest cleavages appeared to be between ethnic groups who largely reside in the north, notably the Songhai and Peuhl, on the one hand and Tuaregs who supported the separatist MNLA on the other.

Tuareg civilians told Human Rights Watch they feared reprisals, primarily from several pro-government militias, whose few thousand members are largely Songhai and Peuhl. Since June these militias have concentrated in several camps in and around the town of

Sévaré, 623 kilometers from Bamako. Sévaré lies just south of the informal division between the Islamist-controlled north and government-controlled south. The largest of these militias, the Ganda-Koi and Ganda-Izo, have received training and some logistical support from the Malian army, but have not been armed or given a formal security role, according to militia members.

Numerous militia members told Human Rights Watch that these militias, as well as youth groups made up of members of northern ethnic groups – the Songhai, Peuhl, Bozo, and Bella – had apparent plans to “settle scores” with their perceived northern opponents.

Over a dozen witnesses told Human Rights Watch that pro-government militias and youth groups have prepared lists of those who would be targeted for retaliation if government forces retake the north. Many of those interviewed by Human Rights Watch were men who said they had participated in making the lists.

The lists primarily contain names of people from the northern regions of Gao and Timbuktu. Those listed include members of armed groups that had participated in the conquest of the north, particularly fighters from the MNLA, Ansar Dine, Movement for Unity and Jihad in West Africa (MUJAO), and al Qaeda in the Islamic Maghreb (AQIM). Others listed had been implicated in abuses against local residents, including sexual violence, theft, pillage, and abuses associated with the application of Sharia law. “Collaborators” who provided intelligence, participated in the recruitment of local boys and men into the armed groups, and served as community liaisons would be targeted, as would local businessmen who had profited financially from their association with northern armed factions.

One militiaman told Human Rights Watch: “Some on it [the list] are obvious because they took up arms and looted everything we worked for, or have been walking around beating people for smoking or not covering their heads. Others have collaborated – cooking, encouraging our children to join up. Do they think we don’t know who they are?”

Another militiaman said: “We know who is who. We know who showed the MNLA and MUJAO where we hid our cars, motorcycles and computers. We know who stole our generators, painted them and put them to use in their houses. We know who raped our women.”

A youth from Niafounké in Timbuktu who had contributed names to the list said: “We watched them [fighters] as they loaded up our stuff and onto trucks toward Mauritania – not just from us personally but from the hospital... They took millions of CFA [African Financial Community francs] in medicines, moto bikes and the ambulance. For those who betrayed the nation, there will be a settling of scores.”

Many of those interviewed feared that collective punishment could be meted out against the Tuareg population in the future. “We’ve had to leave our villages, our women have been raped, and they [the MNLA and Islamist groups] stole all we worked for,” one militia member said. “This rage will lead them [past victims] to kill people – innocent people. It is very dangerous.”

One militia member tried to suggest that the lists had been carefully made: “We don’t put everyone on the list – we investigate first. This will avoid mass targeting of all those who have betrayed us. It is not just against the Tamashek [Tuareg] who are there, but also Bella, Songhai... They know a period of settling scores is coming.”

While some tribal elders were more confident that the area’s long history of ethnic coexistence would prevent communal violence, they too expressed concern about what one called a “discourse of division” being proffered by some displaced northern government leaders as well as MUJAO leaders in and around Gao who, he said, blamed the MNLA and Tuareg “for all their problems.”

A Gao resident echoed this concern: “The power vacuum after the towns are retaken will be very dangerous. It will be hugely important to have a strong presence of disciplined soldiers in the towns during this time. Honestly, it’s a job for blue hatted [UN] peacekeepers. They would be more neutral than our own people.”

Tuareg families interviewed in Bamako and by phone from the Timbuktu region were similarly fearful that the military intervention could usher in a period of collective punishment. A Tuareg trader living near Timbuktu said, "The MNLA were not the only ones who pillaged ... but we're being blamed for everything! I'm really afraid that my children, my family will be killed by the army, by the Ganda-Koi [militia], just like they did in previous rebellions. There are many of us leaving in advance of the intervention."

A Tuareg artisan in Bamako, said: "Sometimes people speak to you with hostility in their voices. When I'm walking I hear them saying, 'You rebel.' We don't dare talk back."

Political leaders of the Ganda-Koi and Ganda-Izo militias interviewed by Human Rights Watch appeared genuinely concerned about the potential for collective punishment. They described efforts including informal training of the militia leaders to avoid it.

"We're trying to teach them to respect life, to abide by the Geneva Conventions, but when one is on the ground [*sur le terrain*] we fear the boys will forget all that, especially if there are no courts to hand the accused over to," one told Human Rights Watch.

MNLA fighters and elders cited the lack of justice for war crimes, including several massacres committed by the Malian army and allied Ganda-Koi militia against Tuareg villages during past rebellions since the 1960s, as being one of the motivations for again taking up arms earlier this year. Likewise, Songhai and Peuhl elders have noted the lack of justice for crimes committed during the MNLA and Islamist occupation of the north this year as providing fuel for potential violence by members of their communities.

A mid-level Songhai militia commander told Human Rights Watch, "For our communities to be able to live together again, those who raped, pillaged and destroyed our lives simply must be judged...only then can we repair relations." A Tuareg elder similarly noted, "The Ministry of Justice should assure us these crimes will be dealt with. The state must put the ethnic tension on their agenda. They should bring leaders of all groups together in a truth-telling like experience [such as a Truth and Reconciliation Commission]. Even if the militias have a list, it can be used to bring them before a TRC!"

Recommendations

To stem a further deterioration of the human rights situation in Mali, the new prime minister and his government should:

Address Accountability for Abuses by the Security Forces

- Investigate and prosecute in accordance with international fair trial standards members of the security forces implicated in recent serious human rights violations regardless of position or rank – including those liable under command responsibility for their failure to prevent or prosecute these crimes.
- Place on administrative leave the military personnel in charge of the post at Diabaly pending investigation of the September 8 killings of 16 Islamic preachers and the October 21 killing of eight Tuareg herders.
- Seek international assistance should local authorities have inadequate capacity to carry out credible, impartial, and independent investigations and prosecutions.
- Oppose amnesty for serious crimes in violation of international law in any negotiated agreement with opposition armed groups.
- Take necessary steps to ensure the military justice system becomes a functional institution, mandated to try military personnel only for military offenses. Ensure that officers of the court, including judges and defense counsel, are fully independent of the military chain of command.
- Establish a 24-hour telephone hotline, staffed by both civilians and military police, for victims and witnesses to report criminal offenses and other abuses committed by military personnel.

Address Rising Ethnic Tension

- Ensure that during future negotiations the aspirations and grievances of all northern residents, not just those who have taken up arms, are heard.
- Urgently adopt a communication strategy, including support to community radio stations, that addresses and acts to reduce rising ethnic tension in the country.
- Direct the Malian National Human Rights Commission to give particular focus to monitoring and reporting on hate speech by people in authority and speech that incites ethnic violence.
- Authorize the Judicial Police to open investigations countrywide to permit victims of crimes in Islamist-controlled areas of the north to present cases without having to travel to Bamako. In November the Supreme Court decided to permit a Bamako court to hear criminal cases from the three northern provinces.
- The Malian government should at all times uphold its international legal obligations to protect individuals and communities at grave risk of violence.

Address Accountability for Past Abuses

- Establish a national independent commission of inquiry into the abuses associated with violence during past armed rebellions with a view toward making recommendations on accountability.
- Establish a truth-telling mechanism to expose underexposed atrocities, explore the dynamics that gave rise to Mali's multi-faceted crisis, including poor governance and corruption; and make recommendations aimed at ensuring better governance and preventing a repetition of past violations.

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