

War crimes in North Mali

Article 1: All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. Article 2: Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty. Article 3: Everyone has the right to life, liberty and security of person. Article 4: No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms. Article 5: No one shall be subjected to torture or to cruel,



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I- Northern Mali's descent into hell

Since January 2012, Mali has faced one of the most severe crises since independence on September 22, 1960. In mid-January, a lightning offensive by the Tuareg rebellion, backed by armed Islamist groups, captured nearly a third of the country's territory. On March 22, a month before the scheduled presidential election, a military coup overthrew President Amadou Toumani Touré (who was not even standing for re-election), and established a National Committee for the Recovery of Democracy and the Restoration of the State (CNRDRE in French). Starting in late March, the main northern towns fell, in succession, to the Tuareg rebellion and its Islamist allies, who were increasingly invasive and demanding in their claims. On April 6, 2012, just days after the fall of Timbuktu, the last town in the north still controlled by government forces, the Tuareg rebel movement proclaimed the independence of the Azawad region, as an «independent Tuareg» territory. Then, starting April 2, Islamist groups, joined by AQIM fighters and leaders, began to challenge the Tuareg rebellion for control of the conquered territories, finally dislodging the Tuareg rebellion from its headquarters in Gao on June 27, 2012, after heavy fighting had left the Islamists in control of the city and the entire region. On July 1, 2012, the Islamist group Ansar Dine, which occupied the holy city of Timbuktu, resumed destruction of the shrines of saints; the group's religious extremists ransacked and destroyed seven of the city's thirteen shrines.

Democratic elections were expected to renew its leadership and establish the governmental legitimacy needed to face Mali's mounting challenges (e.g., the Tuareg rebellion and armed Islamist groups, economic development, and anti-corruption measures). But within six months' time, the country was caught in a descent into hell. The challenge to territorial integrity was not a new development, as North Mali is difficult to control and has been a sanctuary for many armed groups in recent years. It took only a few months for extremist armed groups to capture nearly 75% of Mali's total territory, which holds less than ten percent of the population. The military coup on March 22, 2012, which the putschists justified by the need to restore state power over the entire country and lead the Malian army to recapture lost territory, produced exactly the opposite effect: by the end of March, the insurgents captured the city of Gao, which was the headquarters of the Malian army in the North, opening the road to Timbuktu, Mopti and the capital Bamako. The rebels themselves decided to halt their advance north of Mopti, some 650 km from Bamako, which is still feeling the consequences of the coup.

Meanwhile, in the North, the rebel troops who control territory, populations, resources and trafficking, have committed numerous atrocities against civilian populations, including summary executions, rape, looting, arbitrary arrest and detention, conscription of child soldiers, and destruction of places of worship.

According to information collected in the field and from UN agencies, the armed conflict has caused massive displacement of populations to the bordering countries of Algeria, Burkina Faso, Mauritania, and Niger. By early July, there were nearly 200,000 refugees in neighbouring countries, with approximately 65,000 in Burkina Faso, over 45,000 in Niger, and 88,800 in Mauritania¹; It is estimated that there are over 90,000 internally displaced persons, mainly those who fled from Northern Mali to the South. The Office of United Nations High Commissioner for Refugees (UNHCR) expects the total number of Malian refugees and internally displaced persons to be at least 440,000 by the end of 2012.²

1. HCR figures as of July 5th put the number of refugees outside of Mali at 198,821. See <http://data.unhcr.org/MaliSituation/regional.php>

2. See <http://www.unhcr.org/4fdb2be36.html>

This report reviews the principal forms of violence identified in the field, under conditions made extremely difficult by restrictions on travel, communications and access to the various populations. In addition, the region is plagued by sporadic fighting between different armed groups, as seen recently in Gao, on June 27, 2012, when fighting broke out between the MNLA and MUJAO, reportedly causing approximately thirty-five deaths between former allies that had become adversaries in a few weeks' time.

1- Genesis of the January 2012 rebels' attack

In November 2011, some Tuareg soldiers previously recruited as mercenaries during the Libyan conflict returned to Mali, and combined with a few small Tuareg groups to create a movement called the Azawad National Movement (MNA in French).

A few weeks later, the movement changed into the National Movement for the Liberation of Azawad (MNLA in French). In the final weeks of 2011, the MNLA received reinforcements when some members of the Malian army, of Tuareg origin, commonly known as «integrated» soldiers («les intégrés»), joined the rebels' ranks shortly before the major offensive in January 2012. Many others remained in the Malian army, but the defections made the already tense relations between soldiers of Tuareg origin and other soldiers even more complicated. At the end of 2011, the Malian army's frustration mounted as it became increasingly difficult to control the vast desert areas of the North, as its logistics capabilities were found wanting, and rising numbers of soldiers were captured by the rebels.

In addition, the MNLA was reinforced by alliances with Islamist groups that had been operating in northern Mali for a number of years; the main groups are Al-Qaeda in the Islamic Maghreb (AQIM), Ansar Dine («Defender of Islam»), the Movement for unity and the Jihad in West Africa (MUJAO), and Boko Haram.

In January 2012, claiming to liberate a portion of Northern Mali they call «Azawad» and claim it as the land of their ancestors, the Tuareg rebellion and armed Islamist groups together attacked all the Malian military garrisons in the region. On January 24, they attacked the Aguelhock garrison and summarily executed 153 soldiers taken prisoner. The reaction in Bamako was one of anger, shock and dejection. Further defeats followed for an army that was poorly equipped, riddled with corruption, demoralized, and far from its bases.

From January to April 2012, armed rebel groups captured all three districts of Northern Mali, over which they now exercise absolute control.

This conquest was facilitated by several factors. Gross mismanagement in dealing with previous rebellions, particularly by the deposed president, Amadou Toumani Touré, had allowed Northern Mali in recent years to become a sanctuary with flourishing trafficking of all kinds (drugs, arms, human beings, stolen vehicles, etc.), an area where traffickers, armed Tuareg independence groups, and AQIM, Ansar Dine, MUJAO and Boko Haram armed jihadist groups operated side by side and with mutual assistance, with the latter groups funding their activities by taking foreigners hostage, by protecting the traffickers' roads and routes, and by themselves engaging in trafficking of all kinds.

“Ill-development”, and the absence of State and government services in the vast northern regions, have left a vacuum quickly filled by traffickers and armed groups, who have turned it into an area of lawlessness, where any intervention by the Government of Mali is further complicated by the perception that the intervention was illegitimate, came late, and was focused mainly on the security angle.

2- International crimes and violations of human rights and international humanitarian law

These movements have all committed numerous war crimes or even crimes against humanity such as summary and extrajudicial executions of prisoners of war and civilian populations, rapes and other sexual crimes, use of civilians as human shields, enrolment of child soldiers, destruction of places of worship and religious and cultural shrines of great value, some having been classified as world heritage sites by UNESCO, pillage of property belonging to civilians and of symbols of the State such as buildings, hospitals, tribunals, city halls, schools... as well as international organizations and NGO's.

They have destroyed churches and persecuted Christians who massively fled to southern Mali. Islamic groups have attacked muslim places of worship and in particular sacred mausoleums in Timbuktu. At the beginning of July 2012 seven of the 16 mausoleums of muslim saints in that city and the sacred door of a 15th century mosque were destroyed by Ansar Dine men³. These cultural treasures of inestimable historical value in the ancient cultural and intellectual centre of Sahelian Africa are classified as world heritage sites by Unesco who had just the day before placed these sites as endangered world heritage.

The Prosecutor of the International Criminal Court (ICC), Fatou Bensouda, stated on July 2nd that the attacks against the civilian population and the places of worship could be qualified as war crimes within the jurisdiction of the Court. On the 30th of May 2012, after a session of the Council of Ministers, the Malian government announced their intention to present the case to the ICC. This has to be confirmed by an official complaint now being prepared in Bamako⁴.

In these areas several militias or armed local self-defense groups have been created and were said to have perpetrated crimes, attacks against the civilian population, and summary executions of armed men. The Songhai self-defense militias were particularly active in these attacks.

Further to the south, in Sévaré (5th region) Malian soldiers are said to have carried out summary executions of some Tuaregs, fellow military men, the so-called "integrated" persons and Tuareg civilians. However, these facts still have to be confirmed by additional investigations.

3- The March 22nd putsch and its consequences

Having disapproved the management of the crisis in the North by the former president Amadou Toumani Touré, a group of non-commissioned officers (NCO's) led by Captain Amadou Haya Sanogo, seized power in the night of the 21st to the 22nd of March. Thanks to this new putsch, the soldiers suspended the constitution and then arrested several members of the government and certain heads of institutions as well as people in charge of political parties.

The Malian political scene was then divided into two groups, one pro putsch, one anti putsch. This division led to indecision on a national level regarding action to be taken concerning the anti-constitutional coup de force.

This institutional crisis was a determining factor in the seizure by armed groups of three northern regions after the putsch. This in turn led to dividing Mali into two parts, the North being in the hands of a motley group of armed independent Tuaregs on the one hand, and Islamic forces on the other.

3. See esp.: <http://www.nytimes.com/2012/07/03/world/africa/mali-islamists-exert-control-with-attacks-on-mosques.html> ; <http://www.youtube.com/watch?v=C4jfyYnTvNc> and http://www.dailymotion.com/video/xt5oz0_fighters-in-timbuktu-announce-islamic-state_news?search_algo=2

4. Update : On July 20th, 2012, the government of Mali made a referral to the Prosecutor of the International Criminal Court (ICC) to investigate international crimes committed in Mali these past six months, and take those responsible to court. For more information, see : <http://www.fidh.org/Mali-refers-crimes-perpetrated-in>

4- Applying “Sharia” in the north

The actual occupation of the northern regions by MNLA, Ansar Dine and other armed groups went hand in hand with the islamists imposing a fundamentalist interpretation of Islamic law, the Sharia, which led to imposing a new life style on the population of these areas.

Those who do not want to be subject to these new rules and practices or who infringe them are now punished by virtue of the Sharia.

People who drink alcohol, couples accused of adultery, those not abiding by Islamic dress codes, women who are not veiled or any other deviation as regards the sharia are severely punished. Persons guilty of consuming alcohol, adulterous couples, owners of bars who had not yet fled or others responsible for “deviant” behaviour have been publicly flogged and some thieves have had their hands cut off.

In an attempt to bring the population to accept their extreme interpretation of Islam and its social rules, Ansar Dine distributed food, sometimes stolen from the stocks of humanitarian organizations, and also gave money to those giving information about theft and looting and any other information about persons not having adopted “the rules of God”. They also set up patrols with phone lines available to the population wanting to denounce cases of this sort and authors of theft and looting.

Imposing the radical religious concepts of the extremist armed islamists indeed runs counter to religious freedom. In point of fact, in Timbuktu, which they control, Ansar Dine men have begun profaning and destroying tombs and mausoleums of Timbuktu saints which are remembrance places for local population. The gate of Sidi Yahia Mosque, going back to the 15th century, was destroyed by the extremists’ pickaxes and chisels⁵. These cultural and religious goods of extraordinary value were classified as world heritage sites by UNESCO and when this city was seized by the islamists, were put on the list of endangered world heritage sites. Churches have also been profaned.

Any beliefs or religious symbols not authorised by the islamists are outlawed and destroyed. In this context many Christians had to flee and any statuette, amulet or symbol of Sufism, maraboutic, animist or Christian beliefs have been systematically destroyed.

When the international community condemned these acts, the political branch of the MNLA, outside the country, tried to distinguish themselves from the islamist groups. Whatever the case may be, on the spot and in particular after the eviction of MNLA positions by the Islamic groups, the islamists are the ruling group and coordinators of action carried out in the occupied cities and areas . It is most likely that they are pursuing their iconoclastic policies, war crimes and religious repression all of which began several weeks ago.

5. See esp.: <http://www.france24.com/en/20120702-mali-timbuktu-unesco-heritage-site-ansar-dine-islamists-destroy-legendary-mosque>

“Who’s who” among armed groups operating in North Mali

Armed Groups and Militias



Flag of the MNLA and of Azawad

The National Movement for the Liberation of Azawad (MNLA in French), a politico-armed group, is a carry-over from the surviving Tuareg rebellions of the 1990’s (1990-95) and 2000’s (2006). Formerly known as the National Movement for Azawad (MNA in French)⁶, it became the National Movement for the Liberation of Azawad (MNLA) on October 16, 2011, when it merged with the Northern Mali

Tuareg Movement (MTNM in French), the one responsible for the rebellions between 2006 and 2009. In November 2011, the MNLA recruited Tuareg militants who had been Ghaddafi regime mercenaries before and during the Libyan conflict. The MNLA is led by Mohamed Ag Najum, a former Libyan army colonel. According to its political branch, it is a secular movement fighting for the independence of Azawad which was self-proclaimed on April 6, 2012.

The MNLA is the self-proclaimed heir of the Tuareg independence movements from the great rebellions of the 1990 ‘s and 2000’s, particularly of the Popular Movement for the Liberation of Azawad (MPLA in French) which united all the Tuareg armed movements in 1990. At the time of the 1991 Tamanrasset Agreements, the MPLA split into three factions. In spite of the National Pact (1992), fighting resumed again in Mali in 1994-1995. It was not until March 27, 1996 that peace was finally sealed in Timbuktu during the Flame of Peace ceremony, when Tuareg rebels burned 3, 000 of their weapons used in the rebellion⁷.

But in May 2006, the Tuaregs resurfaced in Kidal and in Ménaka as part of the May 23rd Democratic Alliance Movement for Change led by Hassan Fagaga, Ibrahim Ag Bahanga and Iyad Ag Ghali. The Tuaregs believed they were being kept marginalised from the development of Mali and demanded a specific development plan for the North. It was the July 4, 2006 Alger Agreements for the restoration of peace, security and development in the Kidal region that laid down the terms and conditions for the development of Northern Mali and which allowed the 8th region of Mali (the Menaka area) to return to normal. The 2007-2009 insurrection was very strong in Niger, less in Northern Mali.

In January 2012, only two months after the return of the well-armed Libyan Tuareg fighters, the MNLA launched its offensive against garrisons of the Malian army in Ménaka, Aguelhok, Kidal, etc. Supported by armed Islamic groups, the MNLA succeeded militarily and began to seize the territory. But, the bigger towns resisted. Barely a week (March 30) after the March 22nd coup d’état against President Amadou Toumani Touré that totally disorganised the crippled Malian army, Kidal (in the extreme North-East) fell into the hands of the MNLA, which had gained support from Ansar Dine’s armed Islamist groups and elements of Al-Qaeda in the Islamic Maghreb (AQIM). On March 31, they took Gao (North-East), a decisive move which was the regional army headquarters. On April 1, the MNLA seized Timbuktu (North-West), the last large city of the vast north still under government control. The following day, the MNLA was driven out of Timbuktu by Ansar Dine. On April 6, 2012, however, the MNLA declared the “independence of Azawad” and announced the creation of a Transition Council of the State of Azawad (CTEA).

Relations between the MNLA and armed Islamist groups have deteriorated since the jihadists tightened their hold on the territories and the population: by implementing Sharia law, buying back weapons from the Tuaregs, ousting the MNLA from some districts and towns, etc. Abuse by radical Islamists and the contesting of MNLA leadership is forcing the MNLA to distance

6. National Azawad movement (MNA) created in November 2010.

7. On the history of the Tuareg rebellion, see esp. FIDH report, « Soutenir les droits de l’homme au Mali 1998-1999 » (French), June 1999, <http://www.fidh.org/IMG/pdf/prog279.pdf>

itself from them. On June 27, 2012, the situation began to deteriorate in the city of Gao, which was the last stronghold and the headquarters of the MNLA in one of the largest cities of the North, between the MNLA and Mujao and AQIM Islamists. Close to 35 deaths resulted from the fighting and, most important, the MNLA was driven out Gao.

In early July, the MNLA declared publicly that it was prepared to help in regaining the North from its former Islamist allies.



Flag of the armed Islamists of Ansar Dine

Ansar Dine “Defender of Islam” is an armed Islamist group which suddenly appeared in 2012 in support of the MNLA Tuareg militants during the offensive in Northern Mali.

Under Iyad Ag Ghali, one of the leaders of the 1990 Tuareg rebellion, Ansar Dine wants to enforce Sharia law in Northern Mali.

Iyad Ag Ghali was the head of the Azawad Popular Movement (MPA) and was one of the leaders of the Popular Movement for the Liberation of Azawad

(MPLA) during the 1990’s which triggered the rebellion the night of June 28, 1990 in Menaka.⁸ At peace negotiation time, the Tuareg movement split into three factions. The one led by Iyad Ag Ghali, the Azawad Popular Movement (MPA), a moderate faction composed of approximately one thousand men recruited mainly from the Ifoghas, opted for peace in 1992 before disbanding its movement in March 1996. During the 2000 years, he was appointed Mali ambassador to Saudi Arabia from where he was expelled in 2010 because of his ties to Al-Qaeda.⁹

A minor player in the Tuareg independence movement, he had been radicalised after his time in Saudi Arabia. He created his own radical armed group, Ansar Dine, and formed close ties with the Jihadists-Salafists movements operating in the area, such as AQIM, which had katibas (brigade) one of which was led by his cousin, Hamada Ag Hama, more commonly known as Abdelkrim Taleb. Iyad Ag Ghali has acted in the past as intermediary in negotiations which led to the freeing of French and German hostages captured in the region.

Ansar Dine has taken part in the rebel offensive in Northern Mali since at least January 2012. The armed group also took part in the attack on the Aguelhock garrison on January 24, 2012, when 153 Mali soldiers who were prisoners of war were summarily executed.

Iyad Ag Ghali’s right-hand man and Ansar Dine’s spokesperson was Cheikh Ag Aoussa, while Omar Hamaha was one of the militant leaders. The latter declared in an amateur video filmed in Timbuktu: *“today, we arrested the robbers who wanted to burn down the energy (oil reserves). So we tied them all up. We took their weapons. They are currently at the camp. They are all tied up. We really beat them up. And maybe we’ll cut their throats”*.¹⁰

On April 2, 2012, Ansar Dine drove the MNLA from the town of Timbuktu where very quickly, Iyad Ag Ghali himself declared on radio, the implementation of Sharia law. Since then, Ansar Dine has imposed its laws. On May 4, according to a local authority, members of AQIM, backed by Ansar Dine, desecrated the mausoleum of one of their Timbuktu saints. On June 30, some members of Ansar Dine began the destruction of seven of the sixteen mausoleums of Muslim saints of Timbuktu, two days after Unesco’s decision to designate this city as an endangered world heritage site.

8. See esp. FIDH report, « Soutenir les droits de l’homme au Mali 1998-1999 » (French), June 1999, <http://www.fidh.org/IMG/pdf/prog279.pdf>

9. See <http://www.google.com/hostednews/afp/article/ALeqM5j2E5T3FzSZKJ-OhCpfHOdsoA0idA?docId=CNG.479d25a6bbe0d8ec222921f745502da0.1f1>

10. See esp.: <http://www.nytimes.com/2012/06/03/world/africa/in-timbuktu-mali-rebels-and-islamists-impose-harsh-rule.html?pagewanted=all>

Al-Qaida in the Islamic Maghreb (AQIM) is an armed Islamist organisation of Algerian origin, known before January 25, 2007, as the Salafist Group for Predication and Combat (GSPC). Its Al-Qaeda network affiliation apparently was approved by Osama Bin Laden.

The organisation was put on the official terrorist organizations list of the United States, France and even Russia. It is considered by the U.N. to have close ties with Al-Qaeda and as such is denounced by the United Nations Security Council.¹¹



Mokhtar Belmokhtar also known as « The one-eyed man », one of the leaders of AQIM.

one of the AQIM katibas in the Sahel and had established the contact and the insertion of AQIM amidst the Tuaregs thanks to family connections with his cousin, Iyad Ag Ghali, head of Ansar Dine and one of the long-time leaders of the Tuareg rebellion of the 90's in Mali.

According to consistent sources, the Sahelian branch of AQIM had, in 2010, between 80 and 200 militants divided into several katibas (brigades), led by three Algerians: Abou Zeid, and Yahya Abou Al-Hammam, and Mokhtar Belmokhtar a.k.a. "Belaouar", a.k.a. "Khaled Abou El Abbès" and called "The one-eyed man" or even in Mali as "Mister Marlboro" for his presumed involvement in the trafficking of cigarettes. The latter seems to have contracted a series of accords with various trafficking networks in the region (especially drugs, arms, illegal migrants). Hamada Ag Hama, better known as Abdelkrim Taleb supposedly leads

AQIM is financed primarily by ransoms from kidnappings and hostage taking which has been going on in Northern Mali for at least the last six years and which has brought in almost 100 million dollars. This war chest guarantees that AQIM has enough funds to equip, arm, and sustain the increasing number of militants who come from places like Algeria, Mauritania, Senegal, Mali, Chad, Niger and Nigeria from where some 100 militants from the Jihadist Boko Haram movement have come to support AQIM in Northern Mali.

On June 28, 2012, the day after confrontations in Gao between Mujao and MNLA for the control of the city, the MNLA/CTEA announced that the long-time head of AQIM, Mokhtar Belmokhtar had been killed in combat.¹² However, a press release from the latter was sent a few days later to the Mauritanian Press Agency (ANI) which seemed to confirm that the AQIM emir was still alive.¹³

AQIM is still holding 6 French hostages kidnapped in 2010 and 2011¹⁴ who are detained separately in the mountains of North-West Mali, as well as 2 Spaniards and 1 Italian kidnapped in October 2011 in Algeria by the Mouvement unicité et jihad en Afrique de l'Ouest (Mujao).¹⁵

11. United States: Foreign Terrorist Organizations, published by the Office of the Coordinator for Counterterrorism, <http://www.state.gov/j/ct/rls/other/des/123085.htm>; Russia: list of terrorist organisations by the FSB anti-terrorist service, http://nak.fsb.ru/nac/ter_org.htm; UN: United Nations recapitulative list on Al-Qaida, Oussama ben Laden, the Taliban and other associated persons, groups, enterprises and entities, http://www.un.org/sc/committees/1267/aq_sanctions_list.shtml

12. See <http://www.letempsdz.com/content/view/76848/1/>

13. See <http://www.unhcr.org/refworld/topic,463af2212,469f2e792,5006b7d62,0,,,html>

14. On 16 September 2010, seven people were kidnapped by AQIM in Arlit, an uranium extraction site in northern Niger: an executive from the French nuclear group "Aveva" and his wife, both French, together with five employees (three French, one Togolese and one Malagasy) from Satom, an Areva sub-contractor. On 24 and 2011, the French woman, the Togolese and the Malagasy were released. But the four other Frenchmen are still being held hostage. The two other French hostages are Philippe Verdon and Serge Lazarevic, who were abducted in north Mali in December 2011.

15. See <http://www.slateafrique.com/85165/mali-le-sort-des-otages-francais-passe-au-second-plan> (in French)



Hamada Ould Khaïrou, Mauritanian national, founder and leader of the MUJAO. www.alakhbar.info

The **Movement for Unity and Jihad in West Africa (MUJAO)** is an armed Islamic jihadist group which was created when it split from the Al-Qaeda in the Islamic Maghreb (AQIM) in 2011. It was founded and led by the Mauritanian Hamada Ould Khaïrou, one of the AQIM non-Algerian militants who has recently left his mentors. «*The Mujao* is an assembly of Sub-Saharan Jihadists, “Mauritanians, Azawadis, Chadians and Nigerians and other nationalities”, according to Hamada Ould Khaïrou.¹⁶ ”We have a presence in Nigeria, in Niger and here [«in Gao», ed.]. With our precise, firm words, we are launching the dynamics of expansion”, he added.

According to its founder, the *Mujao* is fighting for “the need to introduce Sharia law. We agree with the logic of the other movements: Shabab in the Horn of Africa, Al-Qaeda in Asia, the Islamic State in Iraq, AQIM and Ansar Dine.”¹⁷

The *Mujao* is noted especially for its kidnappings and hostage taking in countries bordering Mali and in Gao. *Mujao*'s first act in October 2011, was the kidnapping of 2 Spanish nationals and 1 Italian one in Tindouf (Algeria). During the April 5, 2012, offensive on Gao, the *Mujao* captured 7 Algerian diplomats from the Algerian Consulate where they were based. On June 27, the *Mujao* took part in the battle to oust the Tuaregs from the National Movement for the Liberation of Azawad (MNL) from Gao and installed landmines around the town to protect themselves against future attacks by the MNL and by soldiers from a West African Army.¹⁸

Self-defence groups

In the Timbuktu and Gao regions, Arab militias and armed self-defence groups were created and re-activated to “defend” the people and their ethnic groups. There are three main ones: the Timbuktu, Gandakoy and the Ganda Iso Arab Militias.

Timbuktu Arab Militia was created with the consent of the regime of the republic's ex-president, General Amadou Toumani Touré. Its role is to defend the Arab population against the armed Tuareg and Islamist groups. Yet, when Timbuktu fell, it negotiated with the armed groups for a “peaceful” entry.

Gandakoy, “*master of the land*” in the Songhoï language, is a militia created during the Tuareg rebellions of the 1990's to protect the people against summary executions, the murdering of Mali government personnel (judges, civil servants), looting and stealing from civilians and the desecration of State symbols.

Ganda Iso, “*son of the land*” in the Songhoï language, was created in January 2012 after the summary execution of 153 Malian troops at Aguelhock camp.

The two last armed groups have taken responsibility for extortions against the Tuaregs civilians in the area. (See section: Extortions by militias and self-defence groups.)

16. See interview by the Alakhbar Agency, <http://www.fr.alakhbar.info/3512-0-Sahel-MUJAO-a-la-conquete-des-jeunes-de-lAfrique-noire.html> (in French).

17. See interview by the Alakhbar Agency, <http://www.fr.alakhbar.info/3512-0-Sahel-MUJAO-a-la-conquete-des-jeunes-de-lAfrique-noire.html> (in French).

18. See esp. article in *Jeune Afrique*: « Nord-Mali : le chef du Mujao prend ses aises à Gao », <http://www.jeuneafrique.com/Article/JA2686p008-009.xml0/#ixzz1zrOVaDoR> (in French).

II- Abuses by MNLA and Islamist jihadist groups

1- War crimes in Aguelhock

On 24 January 2012, the Malian military camp in Aguelhok was violently attacked. According to testimonies collected by the AMDH from those present at the time of the attack, the assailants gave the military garrison an ultimatum and when the ultimatum was up, first took civilian hostages and then used them as human shields while they attacked the military camp. At the end of several hours of combat and when the garrison was out of ammunitions, 153 Malian soldiers were made prisoners and summarily executed, some after having been tortured.

The AMDH was able to gather the testimonies of Malian soldiers who had been taken prisoner by the armed groups before the attack and witnessed the assault on the Aguelhok army camp in Gao. According to one¹⁹ :

« Before the attack, the assailants ordered the Aguelhok soldiers to leave the camp within 72 hours. Around 6 am, after the ultimatum was up, they began to bomb the camp. A few hours later, the soldiers had used up their ammunitions and surrendered. About 100 soldiers were arrested without putting up any resistance. Their hands were tied up behind their backs. Later, I learned that their throats had been slit. I thought the attackers were saying this to frighten us, but alas, I later learned this was true ».

So according to the evidence, on 24 January 2012 around 6 o'clock in the morning, the attackers entered the courtyard of the Training Institute for school-teachers (IFM) school in Aguelhok and went into the boys' and girls' dormitories to take hostages.

According to R. C., a 23-year-old second-year student in general education:

« We were 11 young girls that day. The rebels stormed our dormitory after kicking down the door, and from then on, fired at the military camp while using us as human shields to stop the bombing ».

L. D., a second-year student in maths, physics and chemistry, gave the following specifics:

« Only the IFM students were taken by the rebels. The population of Aguelhok, who are Tuareg, had been warned and had already left when the attack was launched ».

R. C., another student, added:

« My big brother H., the camp baker, told me after the bombing that all the prisoners had been killed with their hands tied behind their backs and that there were no survivors, and that his life was spared because he was a civilian ».

19. All the names of the victims or witnesses mentioned in this report have been removed to protect their anonymity and safety.

This version was confirmed by L. D. who declared:

« I saw the lifeless bodies of the Malian soldiers lying face down with their hands tied behind their backs. I saw them before they were moved ».

T. K., another second-year student in maths, physics and chemistry, confirmed what his schoolmates had said and described their nightmare that morning:

« The attackers thought we were soldiers. But there were Tuareg people among us who explained to them that we were just students. They then took us into the bush, 16 km away from the city, to consult with their leader, who spoke broken French, Songhai and Bambara. He explained to us that they were there to claim Azawad territory. I can state most firmly that all the natives of Aguelhok were on the rebels' side. I also declare that when we were back in Aguelhok we buried 91 bodies out of the 153 Malian soldiers. They were all lying face down, their hands tied behind their backs ».

So according to the different testimonies and an on-site investigation mission, 153 Malian soldiers prisoners of war were executed on that morning of 24 January 2012 by the attackers at about 10 o'clock in the morning. Some even had their throats slit, others were executed with a bullet. Taking civilian hostages and the summary execution of prisoners of war constitute serious breaches of international humanitarian law, in particular of Article 3 common to the Geneva Conventions and under the terms of Section 8.2.c) on war crimes in the Rome Statute of the International Criminal Court.



Malian soldiers executed in Aguelhok on 24 January 2012 by the rebels

Those responsible for these atrocities are allegedly members of the MNLA and of the Islamist group Ansar Dine, both having respectively claimed their responsibility and participation in this attack. In any event, the Aguelhok IFM student L.D. confirms that the MNLA men were present and appeared to be in a position of responsibility:

« It was even on the orders of a Tuareg captain that we boys [“the male students of the IFM”, ed.] had to help load the weapons into a Land Cruiser pick-up carrying the MNLA flag ».

T. K., a second-year student in maths, physics and chemistry, pointed out that when the attackers took them to see *« their leader, who spoke broken French, Songhai and Bambara, he explained that they were there to claim Azawad territory »*, supporting the credibility of MNLA responsibility in running the operations.

Ansar Dine's claim that they were part of the attack and on the scene of the atrocities could also be certified by the method used (throat slitting) to execute the prisoners of war, which is a 'signature' of radical Islamist groups when they commit a crime. In addition, the Aguelhok IFM student L.D. stated that:

« among the assailants, some spoke Tamasheq, French, Bambara and English. They wore boubous that went down to their knees, Saharan military uniforms, and some were wearing jackets.' These are all hallmarks of the Islamist fighters in the region.

These facts constitute serious breaches of international humanitarian law, notably under the terms of Article 3 common to the four Geneva Conventions (GC I-IV) as well as Article 4 of Geneva Convention II, as well as a war crime under the terms of the ICC Statute and its Articles 8.2.c)i) on summary executions and 8.2.c)iii) on taking hostages. This latter offence is specifically prohibited under the terms of Article 3(1)(b) common to the GC I-IV and repeated in the second Additional Protocol of the CG in Article 4(2)(c).

2- War crimes in Gao

In Gao, after the city was taken over by the MNLA and the Islamist armed groups on 31 March 2012, the new warlords made demands on the city. Mr. F, who was a first year student in natural sciences, physics and chemistry at the IFM in Gao saw « naked bodies and heads of some military men hanging on the wall of the camp and on the Wabaria bridge, and I even recognised the face of Lt. Habid Maiga whose head had been severed ». These statements were confirmed by the AMDH (Malian Human Rights Association) investigators. If these servicemen were executed after they had been taken prisoner, these crimes would also be serious violations of international humanitarian law, especially according to Article 3 of the Geneva Conventions and Article 4 of the Second Geneva Convention, and a war crime according to Article 8.2.c)i) of the ICC Statute. In any case, mutilating corpses is also a violation of war customs and laws according to international humanitarian law.

3- Rapes and other sexual crimes constituting war crimes perpetrated by the MNLA

Following the capture and occupation of the towns of Gao and Timbuktu and their immediate regions, many cases of rape – frequently gang rape – of women and underage girls were reported. These crimes were committed by armed men in military-style dress commonly referred to as “Saharan” or Desert Storm; they spoke French, local Tamasheq or Bambara, and drove vehicles bearing the flag of the MNLA.

Following interviews and enquiries, more than 50 cases of rape or attempted rape were found to have been committed in Gao, Timbuktu and vicinity. Several victims, however, were unwilling to talk of their case, for fear of reprisal, as the towns were still occupied by MNLA men when interviews were carried out, or are currently occupied by armed Islamists whose reaction to the plight of these women and young girls is unknown.

In **Gao**, Z. M., a 19-year-old woman – a first-year student in metal construction – was gang raped by MNLA men on the 1st April 2012:

« On Sunday 1st April 2012 around 8pm a vehicle bearing the MNLA flag, with fighters on board, pulled up outside our door near me and my 19-year-old cousin. The rebels asked us to fetch them some water. When we went back into our yard, the two men grabbed us and ordered us to undress at gunpoint. While one of them raped me in the yard, the other one pointed his gun in the direction of members of our family, keeping them at bay. Each of them raped me in turn. My cousin was saved because she was heavily pregnant ».

This young woman gave further details about her attackers, saying that they « were dressed in MNLA uniforms, spoke local Tamasheq and often French, and that they were Tuareg ».

Many eyewitness accounts state that these attacks went hand in hand with systematic verbal abuse, especially racial. As Z. M. reported: « While they raped me, they called me a fucking bitch and dirty slave in French ».

Still in Gao, there were many similar accounts, with two from underage girls of 13 and 16 standing out. Because of fear of reprisal, the girls’ fathers asked that no further details from them be documented.

On the other hand, a 60-year-old woman, with two daughters, 31 and 34, who were raped and fled Gao, wanted to bear witness. The mother explained that her daughters were victims of rape, attempted rape, and were further beaten and injured, on the night of Sunday 1 April, 2012 between 9pm and 10pm. According to her « four men in military-style dress known as Saharan »

burst into their home while the women were lying in the yard. As she went on to say:

« We tried to run back into our rooms. It was too late; they grabbed my older daughter, the 34-year-old, and when she tried to resist, her attackers pummelled her left knee with their rifle butts, which stopped her in her tracks. All I could do then was watch as the cowards carried out this horrible act on my child. Even today she still suffers the after effects of these attacks and can hardly walk. When they tried to grab her younger sister, she fled up the stairs without a stitch on (because those bandits had managed to pull off the loincloth she had wrapped around her); she ran through the studio of the private radio station “Alhader Koïma” and finally hid with a neighbouring family from where she observed the vehicle belonging to her sister’s rapists, covered in the MLNA flag – they were Tuaregs without a doubt. And I have to tell you, while they were raping my daughter, they heaped all sorts of abuse and rubbish on her in Songhai and Tamasheq, telling her she’d better get clear off or they’d come back as frequent visitors.

That’s why the next day, Monday, we decided to leave Gao and head for Bamako, leaving our house and all our goods behind ».

In Gao, during the day and the night of Sunday 1st April 2012, many women and young girls were reportedly raped, particularly in the warehouses belonging to the office of Gao food agency (PAM). Other women were allegedly raped on the riverbanks or on their way back from the river: a woman carrying a young child was seized near the Wabaria bridge and raped for 48 hours by two young MNLA fighters.

Some women and mostly underage girls were also said to have been captured and led away to camps occupied by MNLA elements where they were raped over several hours by Tuareg fighters. Others said they were only released next day, very early in the morning.

Despite the great difficulty these battered women faced in talking about the crimes they suffered, all of them, when interviewed, told of how their attackers heaped abuse on them during the rape in Tamasheq, Songhai or French, calling them “dirty black bitches” or “filthy whores”. A certain number of these rapists seem to come then from the region and could be identified. According to a local NGO (whose name has been withheld to avoid reprisals), many “Bella” women (Tuareg slaves) were raped around Menaka by MNLA Tuareg fighters.

In Timbuktu and its region, many rapes have been recorded, especially of underage girls.

There’s the case of a 12-year-old girl grabbed from her mother at gunpoint in broad daylight on the 2 April, 2012 by eight MNLA fighters. They took her into a partially-built house where she was raped while some mounted an armed guard outside.

She was repeatedly raped as onlookers stood helplessly by, hearing the girls’ cries. Eventually the rapists let her go and got away scot-free.

In nearby towns, several “Bella” girls were gang-raped by fighters. The wife of an elected official in a rural commune near Timbuktu²⁰ was gang-raped by MNLA fighters, who waited until her husband left the commune before committing their crime.

All these first-hand accounts and the difficulty of getting access to victims, suggest there are many more rape victims and victims of other crimes in the areas that were or are under MNLA control.

The crimes perpetrated during the capture of the towns and regions of Timbuktu and Gao by MNLA forces seem to have had as their main target black women from the region, particularly those considered “slaves” (the “Bella”). The racial insults and slurs delivered by those guilty of these acts suggest these were attacks targeted at a part of the civil population and as such constitute war crimes.

All these abuses and violations committed by MNLA fighters so far remain unpunished by their leadership. MNLA commanders in the military zones have taken no steps to halt these crimes.

20. The names have been withheld to protect the victim’s identity.

The rapes and other sexual crimes constitute a grave violation of international humanitarian law (article 3 of the Fourth Geneva Convention) and a crime against humanity under article 7.1.g) of the ICC Statute and war crimes under article 8.2.e) vi) of the ICC Statute.

4- Looting and atrocities perpetrated by the MNLA

Since the occupation of the Gao and Timbuktu regions, we have received information that some fighters attacked state buildings and symbols, along with schools, houses belonging to civil servants, business installations and Christian places of worship.

In Gao, PAM warehouses, shops in the market, the hospital's pharmacy, the court, town hall and local and communal electoral archives, established only in October 2011, were sacked and completely destroyed by MNLA fighters. For the duration of their occupation, MNLA fighters saw fit to use these places as their barracks.

From the very first days of occupation, armed men driving around in vehicles bearing the MNLA flag looted all pharmacies in the town, including those in the hospital and private clinics. At the Gao hospital, they took away medicines, medical equipment, furniture and the motorbikes belonging to staff. They pulled out a patient's oxygen tubes so that they could make off with his mattress. The medical staff fled in terror. This intrusion by MNLA elements led to the deaths of six intensive care patients, according to several nurses.

A human rights activist in Gao and the regional director of a State instrumentality, who both remained in the town, report that the pillage lasted several days. Banks, schools, churches, the offices of humanitarian organisations – these were all pillaged and looted by the MNLA, along with prisoners they freed, who only added to the plundering.

The heads of a large Bamako building and public works' company, who were in Gao during the occupation, told us that « all those who tried to flee to the south were required to pay a toll at MNLA checkpoints. Most of their personal property was confiscated (phones – jewellery etc....) ».

Some human rights activists had to fabricate identity documents for Malian army soldiers to help them leave and avoid summary execution.

In Timbuktu, human rights defenders confirmed the systematic plundering of public buildings, churches, Christian places of worship, as well as the shops and private homes of local businesspeople, the hospital, private pharmacies, schools; government buildings and the court were all sacked, with all their records destroyed.

Offices belonging to the local and communal electoral commissions, set up for the 2012 general elections, were also looted and their archives destroyed.

These crimes constitute serious violations of international humanitarian law (AP II-CBC 1999, art. 15 and AP II, art. 4(2) (g) and war crimes under article 8.2.e)iv) and v) of the International Criminal Court Statute.

5- Underage children enrolled in MNLA and Ansar Dine's ranks

After April 1st, 2012 and the occupation of Gao by the MNLA, Ansar Dine and other Islamist groups, human rights advocates were able to identify many children in their ranks. The general age of the child soldiers ranged from 12 to 16. These children were seen carrying weapons aboard vehicles and trucks belonging to the MNLA and Ansar Dine and at various check points within Gao and at town exits. Some children could hardly hold their guns. The children were identifiable because they had been at school before the war.

Child soldiers aged between 12 to 15 were observed in Ansar Dine training camps, situated 5km from Gao on the road to Bourem and in Bourem itself (in the Gao district); they were of Tuareg, Arab, Songhai and Bella ethnicity. Contacts in Diré and Nianfunké (in the Timbuktu region) reported that Ansar Dine was engaged in a recruiting drive among teenagers in these areas. Recruitment was achieved either forcibly or with a financial inducement.

The recruitment of child soldiers is in contravention of international human rights norms [art 38(2) and (3) of the United Nations Convention on the Rights of the Child) and international humanitarian law (AP II, art 4(3)(c)]. The Rome Statute of the International Criminal Court classifies it as a war crime under article 8.2(e)(vii).

6 – Abuses perpetrated by armed Islamist groups

The effective occupation of the northern regions of Mali by the MNLA, Ansar Dine and other armed groups has resulted in these Islamist groups imposing Sharia law and local populations have had a new way of life foisted on them.

Those who infringe or do not want to submit to the new regulations and practices are punished in accordance with Sharia law.

Drinkers, smokers, adulterous couples, people who flout Islamic dress code, women not wearing the veil, and any other infringement of Sharia law are severely punished. Individuals convicted of drinking alcohol, couples charged with adultery, bar owners who had not already fled and anyone else responsible for “deviations” were publicly flogged, and some thieves had their hands cut off. On 14 and 15 June, Mujao members burned cartons of cigarettes and flogged smokers in Bourem. On 20 June in Timbuktu, Islamists sentenced an unmarried couple to 100 lashes.

In an attempt to sway the local population towards their extreme version of Islam and its social rules, Ansar Dine gave out food aid, sometimes stolen from the stocks of humanitarian organisations and paid informants for details about thieves or looters, or any other people who had transgressed the “rules of God”. They also patrolled and frequently called on civilians to denounce those who had carried out thefts or looting.

The imposition of radical religious concepts by extremist, armed Islamist groups puts a major curb on freedom of worship. They have destroyed churches and persecuted Christian populations who have migrated to the south of the country in massive numbers. Islamist groups have also attacked Muslim places of worship, especially the mausoleums of saints in the city of Timbuktu, which are places of quiet contemplation for the people. At the beginning of July 2012, when they were in control of Timbuktu, Ansar Dine men desecrated and destroyed seven of the 16 mausoleums of Muslim saints in the city. The gate of the Sidi Yahia mosque, dating from the 15th century, was attacked with pickaxes and chisels by Ansar Dine extremists.^{21 22} These priceless cultural and historic treasures from this ancient cultural and intellectual centre of Sahelian Africa are listed as world heritage sites by UNESCO, and have now been put on the register of endangered sites following the city’s capture by Islamists.

The Prosecutor of the International Criminal Court (ICC), Fatou Bensouda, stated on 1 July that attacks on civil populations and against places of worship could be considered war crimes within the jurisdiction of the Court.

21. See esp. <http://tempsreel.nouvelobs.com/monde/20120703.OBS5827/mali-les-islamistes-brisent-les-portes-d-une-mosquee-de-tombouctou.html>

22. See esp.: <http://www.melty.fr/mali-les-islamistes-detruisent-les-mausolees-des-saints-musulmans-a-tombouctou-a115811.html> ; <http://www.youtube.com/watch?feature=endscreen&v=J0gss0mdZUg&NR=1> et http://www.dailymotion.com/video/xrr5dh_charia-a-tombouctou-france-2_news

As she said:

*« My Office has seen media reports indicating that Islamist fighters from Ansar Din have directed attacks and deliberately damaged the shrines of Muslim saints in the city of Timbuktu in Mali. Media reports also quote Ansar Din's spokesman Sanda Ould Boumana as stating that all shrines would be destroyed without exception. These acts may constitute War Crimes under the Rome Statute. Article 8 of the Rome Statute is clear that deliberate attacks against undefended civilian buildings which are not military objectives is a War Crime. This includes attacks against historical monuments as well as destruction of buildings dedicated to religion My Office is closely following events in Mali and will not hesitate to take appropriate action if information collected indicates the commission of crimes by anyone. Those who are destroying religious buildings in Timbuktu should do so in full knowledge that they will be held accountable and justice will prevail. Mali is a state party to the Rome Statute and my Office thus has jurisdiction over crimes committed within the territory of Mali. A necessary first step for my Office will be to open a preliminary examination during which information collected will be analyzed to determine whether criminal investigations should be launched. My message to those involved in these criminal acts is clear: Stop the destruction of the religious buildings now: This is a War Crime which my Office has authority to fully investigate. ».*²³

On the 30 May 2012, through its Council of Ministers, the Malian government announced its intention to refer a case to the ICC, which has not yet been accompanied by an official submission to the Court.²⁴

In addition, all other belief and religious symbols not authorised by the Islamists have been rounded up and destroyed. Many Christians have had to flee, while all statues, amulets or symbols belonging to Sufi or Maraboutic Islam, or animist and Christian belief systems, have been systematically destroyed.

When the international community condemned these actions, the political branch of the MNLA outside the country tried to distance itself from the Islamist groups. It nevertheless remains the case that, on the ground, particularly after the eviction of the MNLA from its positions by the Islamist groups, it is the latter who are in charge and co-ordinate all the actions undertaken in the occupied towns and areas, and so it is more than likely that they are continuing their iconoclastic policies, war crimes and the religious repression which began several weeks ago.

The fact that they deliberately attack buildings devoted to religion, education, art, science or charitable works, and historical monuments, constitutes a war crime according to article 8 (2) (e) (iv) of the Rome Statute; and a violation of international humanitarian law, especially under article 15 of the Second Protocol to the Convention for the Protection of Cultural Property in the Event of Armed Conflict, 26 March 1999.

23. Information Bulletin from the Office of the ICC Prosecutor for the period from 20 June to 3 July 2012, www.icc-cpi.int/NR/rdonlyres/B8B506C8-E2DE-4FF5-A843-B0687C28AA6C/284735/OTPBriefing20June3July2012.pdf

24. Update : On July 20th, 2012, the government of Mali made a referral to the Prosecutor of the International Criminal Court (ICC) to investigate international crimes committed in Mali these past six months, and take those responsible to court. For more information, see : <http://www.fidh.org/Mali-refers-crimes-perpetrated-in>

III- Abuses committed by Songhai self-defense groups

In retaliation for the abuses and murders of Malian soldiers and members of the civil population, self-defence groups were formed in the Timbuktu and Gao regions.

As a result, the Songhai militia groups Gandakoy – « master of the land » and Ganda Iso, « sons of the land » attacked Tuareg camps in these areas and killed a number of people.

Asked to elaborate on the matter, these vigilance groups denied having killed members of the civil population, arguing that the persons killed during these attacks were MNLA fighters, killed while still armed, and that they were disguised combatants. « If this weren't the case, how else do you explain the presence of weapons in the Tuareg tents? » was how one of those interviewed put it.

The ever-increasing tendency to see armed groups and men in these areas makes it difficult to conduct any sort of enquiry on the ground as to the actual number of victims and the circumstances surrounding these attacks. It remains true nevertheless that an upsurge in arms trafficking, armed groups and militias can only increase tensions and the perpetration of abuses, war crimes and grave violations of human rights directed at the civil population.

In this context the presence of vigilance militias can only complicate an already highly volatile military and humanitarian situation.

IV- Human rights violations committed by the Malian army

The AMDH received information that the Malian army had also committed war crimes before and after the 22 March 2012 coup d'état in the zones under its control.

Thus, on 22 February 2012 elements of the Malian army wanting to avenge attacks, war crimes and other abuses committed by the MNLA against the Malian army and civilians apparently blindly and indiscriminately attacked civil populations and targets in the Kidal region in violation of international humanitarian law.

Similarly, on 18 April, 2012 in Sevaré (Mopti), Malian soldiers, apparently, summarily executed three unarmed persons accused of spying for the MNLA.

During April 2012, still in Sevaré, near the front lines, three other civilians apparently were summarily executed by the Malian army. Among the victims are a Tuareg soldier from the Malian army named Rouma Ag Ahmed and two unidentified civilians.

It was possible to remove any uncertainty surrounding the allegations concerning the fate of these four women arrested in Kidal and transferred to Bamako for « attempting to poison » the military commandant in the Kidal zone. They were freed during the first half of April 2012.

On the other hand, our organisations had been informed about the situation of civilians, suspected of being linked to the MLNA and who would have been arrested in Bamako and in the south of the country and may have been detained at state security facilities. It was impossible to obtain information on these possible arrests, even during the visit of the detention centres by the AMDH since none of the detainees visited were charged with espionage or belonging to the MLNA or Ansar Dine.

V- Recommendations

AMDH and FIDH recommend

To the groups and armed militias present in the North of Mali to:

- ⚡ Immediately cease the abuses against civilian populations, including acts of sexual violence against women;
- ⚡ Comply with the regulations and standards of international humanitarian law and human rights, including those governing prisoners of war;
- ⚡ Adopt rules of conduct prohibiting attacks against civilians, hospitals, schools, and places of worship;
- ⚡ Put an end to the recruitment of child soldiers for armed conflicts and return them to their families;
- ⚡ Put an end to the destruction of cultural property and places of worship;
- ⚡ Prohibit the use of civilians as human shields;
- ⚡ Encourage and protect the right to food, healthcare and education in the zones under their control, especially by maintaining a humanitarian corridor to international organisations and humanitarian NGOs;
- ⚡ Conduct investigations and sanction those in charge of the military and combatants who are found guilty of human rights violations and, if applicable, release them into the custody of the appropriate authorities;
- ⚡ Put an end to cruel, inhumane and degrading treatment against populations under their control, in particular by suspending the application of Sharia Law;
- ⚡ Guarantee in all circumstances the physical and moral integrity of human rights defenders, journalists, humanitarian aid workers and members of civil society;
- ⚡ Release the hostages who are still in their possession;
- ⚡ Engage in discussions with the Malian authorities to put an end to the conflict.

To the Malian army to:

- ⚡ Comply with the regulations and standards of international humanitarian law and human rights, including those for prisoners of war and civilian populations;
- ⚡ Conduct investigations and sanction those in charge of the military and the combatants who are found guilty of human rights violations and, if applicable, release them into the custody of the appropriate authorities.

To the Malian transitional authorities to:

- ⚡ Conduct investigations and sanction those in charge of the military and combatants

who are found guilty of human rights violations and, if applicable, release them into the custody of the appropriate authorities;

- ⤴ Encourage and protect the right to food, health and education in the zones under their control;
- ⤴ Refer crimes committed within its jurisdiction in Mali to the Prosecutor's Office of the International Criminal Court;
- ⤴ Comply with the recommendations and resolutions of regional and international organisations responsible for international security and peace, including Resolution 2056 (2012) adopted by the UN Security Council on 5 July 2012, and Resolutions 1325 and following on women, peace and security;
- ⤴ Guarantee in all circumstances the physical and moral integrity of human rights defenders, journalists and members of civil society.

To the UN Security Council, the African Union (AU), the Economic Community of West African States (ECOWAS) and the rest of the international community to:

- ⤴ Support the efforts deployed by ECOWAS with respect to a rapid and sustainable resolution to the political crisis and armed conflict in Mali, including those aimed at:
 - ⤴ Restoring, within the shortest possible time, civilian authority throughout the entire country;
 - ⤴ Securing and strengthening political institutions, which includes the safe return of the interim President, Mr. Dioncounda Traoré; the formation of a national unity government, and the appointment of consensual personalities within sovereign Ministries in order to organise, in the shortest possible time, free and transparent presidential and legislative elections;
 - ⤴ Preserving territorial integrity;
 - ⤴ Strengthening the abilities of the Malian armed forces in the areas of defence and security;
 - ⤴ Ensuring that criminal proceedings are instituted against the perpetrators and those responsible for the most serious crimes. In particular, to echo the call by ECOWAS to the International Criminal Court for it to conduct investigations to identify the most senior of those responsible for war crimes and to prosecute them for same;
 - ⤴ Ensuring that the populations who are victims of the conflict, including refugees and displaced persons, benefit from unconditional humanitarian assistance.

To the Heads of State and Government of the African Union who must further:

- ⤴ Ensure that an independent commission of inquiry is actually set up to shed light on the circumstances of the assault on the interim President; the cases of extrajudicial and summary executions, and arbitrary arrests and detention, and allegations of torture, enforced disappearances and other human rights' violations perpetrated in the south, is effectively implemented and that action be taken against the perpetrators and those responsible;
- ⤴ Ensure that national authorities proceed with the immediate release of those who have

been arbitrarily arrested and detained in the absence of any charges against them;

- ⤴ Ensure that the military junta put an end to all interference in the political affairs of the country;
- ⤴ Ensure that civil society organisations, including organisation defending human rights, are fully involved in the current mediation process.

To the ICC Prosecutor:

- ⤴ To officially launch a preliminary analysis on the Malian situation to assess whether to open an investigation into crimes committed within its jurisdiction on Malian soil;
- ⤴ To continue to publicly call for the monitoring of the situation in Mali to strengthen the deterrence role of the action of the Court in the field, thereby assisting in preventing new abuses from being committed.

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Establishing the facts

Investigative and trial observation missions

Through activities ranging from sending trial observers to organising international investigative missions, FIDH has developed, rigorous and impartial procedures to establish facts and responsibility. Experts sent to the field give their time to FIDH on a voluntary basis.

FIDH has conducted more than 1 500 missions in over 100 countries in the past 25 years. These activities reinforce FIDH's alert and advocacy campaigns.

Supporting civil society

Training and exchange

FIDH organises numerous activities in partnership with its member organisations, in the countries in which they are based. The core aim is to strengthen the influence and capacity of human rights activists to boost changes at the local level.

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FIDH supports its member organisations and local partners in their efforts before intergovernmental organisations. FIDH alerts international bodies to violations of human rights and refers individual cases to them. FIDH also takes part in the development of international legal instruments.

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FIDH informs and mobilises public opinion. Press releases, press conferences, open letters to authorities, mission reports, urgent appeals, petitions, campaigns, website... FIDH makes full use of all means of communication to raise awareness of human rights violations.



AMDH

Overview of the AMDH

The Malian Association of Human Rights (AMDH), the first association to defend human rights in Mali, was founded on 11 December 1988.

The AMDH is an organisation of volunteers and selfless activists, which members come from diverse backgrounds, and contribute according to their expertise to the promotion and protection of human rights.

Its members include jurists (lawyers, magistrates, bailiffs, notaries, commissioners, valuers), civil administrators, university professors, primary and secondary school teachers, doctors, professional health care workers, social development leaders, journalists, accountants, bankers, managers, playwrights, economic operators, etc.

Section member of the FIDH and member of the IUHR (Inter African Union on Human Rights), the AMDH is a force in Mali. Its national office is located in Bamako and includes 21 members. AMDH is represented by its sections in the eight regions of Mali: Kayes, Koulikoro, Sikasso, Ségou, Mopti, Timbuktu, Gao and Kidal.

At the circle [cercle] level (20 circles) it is represented by committees. It is also represented in close to a dozen rural communities.

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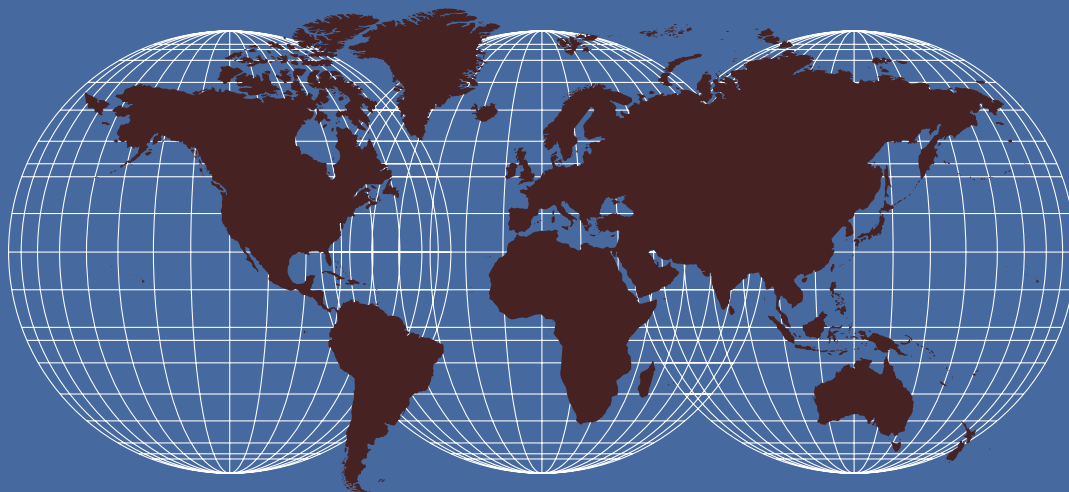
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inhuman or degrading treatment or punishment. Article 6: Everyone has the right to recognition everywhere as a person before the law. Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination. Article 8: Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law. Article 9: No one shall be subjected to arbitrary arrest, detention or exile. Article 10: Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him. Article 11: (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty

ABOUT FIDH

FIDH takes action for the protection of victims of human rights violations, for the prevention of violations and to bring perpetrators to justice.

A broad mandate

FIDH works for the respect of all the rights set out in the Universal Declaration of Human Rights: civil and political rights, as well as economic, social and cultural rights.

A universal movement

FIDH was established in 1922, and today unites 164 member organisations in more than 100 countries around the world. FIDH coordinates and supports their activities and provides them with a voice at the international level.

An independent organisation

Like its member organisations, FIDH is not linked to any party or religion and is independent of all governments.

fidh

Find information concerning FIDH's 164 member organisations on www.fidh.org