Crisis in Mali

I. Overview

Mali, a former French colony that gained independence in 1960, enjoyed relative social and economic growth from 1996 to 2011. Nevertheless, conflict destabilized the country in January 2012, a struggle characterized by loss of state control in the northern part of the country, a successful coup and an influx of radical Islamist groups. French intervention eventually freed northern Mali of Islamist control, and the free and fair election of Ibrahim Boubacar Keita in 2013 helped restore partial order. However, extremist violence still persists and good governance and international assistance are needed to help maintain peace.

II. History of Conflict

Mali has long been home to various uprisings by an ethnic group called the Tuaregs. The Tuareg are a group of nomadic people originating from the Saharan regions of North Africa, eventually settling in Mali, Libya, Algeria, and Burkina Faso. Tuaregs claim that they are marginalized by the government of Mali, and thus seek official recognition of their identity and the right to self-determination in the northern part of the country, which they call Azawad. As a result, Tuaregs have staged
intermittent military uprisings since Mali’s independence from France.

Forming the National Movement for the Liberation of Azawad (MNLA), the Tuaregs steadily gained prominence after the fall of Libyan dictator Muammar al-Qaddafi in 2011. Tuaregs had been living and working in Libya for decades, particularly in the oil industry, while others even formed part of the Libyan army. After Qaddafi’s overthrow, many Tuaregs left Libya, where they had become targets due to renewed xenophobia towards sub-Saharan migrants and because many had fought on behalf of Qaddafi. As noted by Small Arms Survey, the steep proliferation of arms during the 2011 Libyan civil war, combined with the insecurity of Qaddafi’s sophisticated weapons caches, led to the Tuaregs returning to Mali heavily armed. Thus better equipped, trained, and organized than ever before, the Tuaregs won a rapid series of military victories in Northern Mali in January 2012.

III. 2012 Conflicts

Members of the Malian army criticized then-President Amadou Toumani Toure over the military victories, stating that the army was not properly armed to effectively rout the Tuaregs. Moreover, soldiers for weeks had been requesting more advanced weaponry to fight the rebels. Frustrated over the government’s response to the rebels, a group of Malian soldiers calling themselves the National Committee for the Restoration of Democracy and State, led by Captain Amadou Sanogo, staged a successful coup on 22 March 2012. The mutinous soldiers took control of the state broadcaster in the capital Bamako. Later, they stormed the presidential palace and proclaimed that the constitution was suspended, sending President Toure into hiding.

In a policy brief, experts from the Hague Institute for Global Justice argue that part of the reason the Malian government did not respond effectively to the Tuaregs and rise of Islamist extremism is due to the government’s complicity in widespread corruption in the state. The government formed alliances with northern Malian business leaders and elites in order to smuggle illegal goods such as cigarettes and cocaine to Libya and Algeria. These groups were in competition with Tuaregs linked to the MNLA secessionist movements. The brief states that eventually, the government’s lax policies towards illegal activity/terrorism and the rivalries between groups were the cause for the Malian government’s mishandling of the 2012 Tuareg rebellion and the coup that followed.
After the 2012 coup, the African Union quickly suspended Mali’s membership, as did the Economic Community of West African States (ECOWAS), who also imposed travel bans, sanctions, and asset freezes against the junta leaders. As a result of ECOWAS’s mediation efforts, a framework agreement was signed, President Toure resigned, and the junta transferred power to a transitional government in exchange for amnesty and the lifting of sanctions. The new interim president, Dioncounda Traore, acknowledged the threat to Mali’s territorial integrity posed by Islamist groups and the MNLA and vowed to defeat them.

Taking advantage of the political disarray, the MNLA forged an alliance with the Islamist rebel group Ansar Dine, which has ties to al-Qaeda. The merger allowed for both groups to cement control over northern Mali. In a stunning three day offensive between 30 March - 1 April 2012, the MNLA captured the northern cities of Kidal, Gao and Timbuktu respectively. Following the victories, the MNLA declared the independence of Azawad on 6 April 2012. Through their website, the MNLA cited instances of “massacres, atrocities and humiliation, dispossession and genocide” committed against the Tuareg by the Malian government since 1963. Through the independence statement, the MNLA recognized existing borders with other states, and declared that Azawad should gain state membership through the United Nations Charter. Following the declaration, many actors denounced Azawad’s claim for independence. The African Union condemned it as “null and void”, with France and the European Union stating that its independence would go unrecognized.

Nevertheless, the alliance between the MNLA and Ansar Dine would not last. While the MNLA’s main objective remained the separation of the north of Mali, Ansar Dine’s goal was to impose strict Sharia law over all of Mali. Ansar Dine’s military chief, Omar Hamaha rejected the Azawad claim for independence: “We are against independence. We are against revolutions not in the name of Islam”. Moreover, Jeremy Keenan of the University of London’s School of Oriental and African Studies suggests that the partnership was parasitic. He states that the MNLA performed most of the combat to control Malian cities, with Ansar Dine then
imposing Sharia law over conquered areas. Due to these clashing ideals, Ansar Dine eventually
removed most of the MNLA forces from northern Mali by June 2012. The MNLA then began denying the existence of a relationship, with an MNLA spokesperson stating in an
interview with Al Jazeera that there was no such alliance with Ansar Dine. Furthermore, another spokesperson, Mossa Ag Attaher, stated that the MNLA’s exit from strategic northern Malian cities was to “prepare our new war strategies”.

The crisis in Mali involved other players; including the rebel Islamist groups Al-Qaeda in the Islamic Maghreb (AQIM) and the Movement for Unity and Jihad in West Africa (MUJAO). Each of these groups had their own agenda over Mali’s territory. MUJAO’s goal was to spread jihad to not just Mali, but all of West Africa, and AQIM’s (a splinter group of MUJAO) declared aim was to spread Islamic law and free Malians from French colonial legacy. Both of these groups provided support to Ansar Dine during its conquests over northern Mali and imposition of Sharia law.

Human Rights Watch has released many fact finding reports that revealed atrocities committed by Tuareg rebels, Islamist groups and Malian forces. Human rights abuses by the Tuareg rebels included the use of child soldiers, attacks on hospitals and schools, abductions, rapes and summary executions. The violence disintegrated society in the north and led to scarcity in medical supplies and administration, eventually causing tens of thousands of civilians to flee to the south and neighboring countries. The report goes on to state that The United Nations Office of Humanitarian Affairs estimates at least 284,000 residents had fled their homes as a result of the armed conflict in the North, 107,000 of which are believed to be internally displaced and some 177,000 have fled to neighboring countries, notably Niger, Burkina Faso, Algeria, and Mauritania.

Malian soldiers have been accused of orchestrating forced disappearances and summary executions of suspected Tuareg rebels, Islamist rebels and their supporters. For example, Amnesty International investigations reveal that in March 2013, the Malian army murdered four Tuareg shepherds. Malian soldiers have also subjected civilians to torture and ill treatment. For example, on 28 February 2013 the Kadjji village in Goa, which has long been suspected as a MUJAO stronghold, was raided by Malian forces.
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The army arrested more than fifty people, who were beaten, detained, and released without charge or trial. As a result of reports of torture, illegal detainments, and summary executions, about 22,000 Malian civilians of Tuareg and Arab background have fled Mali in fear of reprisals from the army.

Civilians in northern Mali were also victims of atrocity crimes committed by Islamist groups as they recruited hundreds of children into their ranks and executed, flogged, and amputated the limbs of civilians as punishment for defying their interpretation of Sharia law. The United Nations also reported forced disappearances, rape, forced marriages, and looting of property, while the Watchlist on Children and Armed Conflict described widespread recruitment, killing, and maiming of children. Islamists further destroyed several UNESCO world heritage sites in Timbuktu. According to the United Nations High Commissioner on Refugees (UNHCR), as of January 2014 at least 470,761 refugees and internally displaced Malian people remain in situations of concern, many of whom fled to neighboring Mauritania, Algeria, Burkina Faso, and Niger.

IV. International Response

A. ECOWAS

In addition to the suspension and mediation efforts listed above, ECOWAS sought United Nations Security Council authorization to deploy an African-led International Support Mission in Mali (AFISMA) in order to “dismantle terrorist and transnational criminal networks” in northern Mali. In Resolution 2085 (2012), the Security Council tasked AFISMA with rebuilding the capacity of Mali’s defense and security forces, supporting Mali in regaining territorial control in the north, and assisting Malian authorities in their “primary responsibility to protect civilians.”

B. United Nations

In March 2013, the African Union’s Peace and Security Council
requested the Security Council to transform AFISMA into a United Nations peacekeeping force. In response, the Security Council passed Resolution 2100 (2013) on 25 April 2013, creating the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), composed of 11,200 military personnel and 1,440 police personnel. The resolution was unique, as it gave MINUSMA a rare “peace enforcement” role, authorizing peacekeepers to use “all necessary means” to enforce its mandate, which included the protection of civilians and the promotion and protection of human rights. Under Resolution 2100, MINUSMA is responsible for the protection of civilians “under imminent threat of physical violence”; is tasked with providing “specific protection for women and children” and addressing “the needs of victims of sexual and gender-based violence in armed conflict”; and must monitor, investigate and report to the Council any violations of human rights of international humanitarian law.

On 24 June 2014, the Security Council unanimously adopted resolution 2164, which renewed MINUSMA’s mandate for a year and granted the Secretary General’s Special Representative to Mali more power. The resolution called on MINUSMA to expand its presence through long range patrols, especially in areas where civilians are at risk. Moreover, the resolution requested that the mission support national political dialogue and reconciliation, reestablish the State authority, rebuild the security sector, and promote the human rights of the Malian people.

Examples of MINUSMA’s expansion include: the All Source Information Unit which increases the missions “situational awareness”, and four attack helicopters that perform surveillance with a focus in civilian protection.

C. French Government

On 10 January 2013, Ansar Dine captured the strategic town of Konna, due to its close proximity to the capital Bamako. This offensive push into government territory forced the Malian transitional government to request help from France to take military action. The very next day Francois Hollande, the president of France agreed, launching “Operation Serval”, quickly carrying out airstrikes to stem extremist advances. Between 26 - 30 January 2013, French bombing campaigns forced Islamist groups...
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out of Timbuktu, Kidal and Gao. Due to French military operations, northern state control was restored to the Malian government. On 8 January 2014, Francois Hollande declared the mission a success and would scale down French forces to about one thousand troops.

On 1 August 2014, the French government launched Operation Barkhane. Unlike Operation Serval, Operation Barkane has a broader regional scope on Africa’s Sahel region. In order to combat the rise of Islamic extremism in northern Africa, the permanent operation will be based in Chad’s capital N’Djamena. However, it is mandated to operate across borders to target Islamic extremism in Mali, Chad and Niger. The scaled down one thousand troops leftover from Operation Serval will remain in Mali indefinitely to complete the mission’s mandate.

D. Civil Society

Civil society organizations have called attention to Mali’s persistent challenges. The International Federation for Human Rights (FIDH), Human Rights Watch, and Amnesty International reported human rights violations by Malian forces against Tuareg and Arab civilians, along with those committed by Islamist and Tuareg forces. On 2 February 2014, Oxfam international released a report titled “What’s Next for Mali: Four priorities for better governance”, stating that while the newly-elected 2013 government did usher in some stability, major reforms were necessary to ensure that the government responds to “the Malian peoples’ desire for improved governance”. In the report, Oxfam called on the new 2013 elected government and Malian civil society partners to ensure: 1- equitable development across all regions of the country, 2- increased citizen participation, in particular women’s participation 3- Improved access to justice and 4- the promotion of national reconciliation. The report also called on MINUSMA and international donors to fund and protect these priorities and record any results in a transparent and accountable fashion.

In a
letter issued on 20 March 2014, Human Rights Watch urged President Keita to improve the capacity for Mali to provide adequate justice to those who were victims of violence during the 2012 conflict. Human Rights Watch stated that this should include help from international donors, investigations of both Malian soldiers and rebel groups, and free access to defense counsel for all sides. According to Medicins Sans Frontieres, as of July 2013, Arab and Tuareg populations from the north still refuse to return home from abroad out of fear of abuses or retribution.

On 27 August 2014, FIDH issued its “Human Rights Organisations' Manifesto for a Peace Agreement that Respects Victims’ Rights”. Signed with other concerned civil society organizations, the manifesto laid out the terms that Malian authorities and the international community would need to follow to ensure a lasting peace. The manifesto urged all parties involved to exclude amnesty for atrocity crimes; integrate civil society organizations in the peace process; ensure effective disarmament in accordance with the Ouagadougou agreement; and to guarantee that victims of atrocity crimes have access to “justice, truth, and reparation”.

In addition to reporting alleged atrocity crimes committed after the 2012 coup, civil society organizations have also been active in addressing the breakdown of Malian society, the underlying issues causing conflict, and Mali’s obligation to protect civilians and prevent such atrocities from occurring. Examples of such organizations include Réseau des Femmes africaines pour le développement et de la communication (FEMNET-Mali) and the International Coalition for the Responsibility to Protect.

Together on 2-3 August 2012, these groups held a workshop on the Responsibility to Protect in Bamako, the capital of Mali. The workshop, which was attended by various civil society groups and government officials, informed the participants on the concept of RtoP. It also discussed what possible recommendations could be made for Mali, ECOWAS, the international community, and civil society organizations, and to consider the full range of protection obligations in line with the principles of the responsibility to protect.

E. International Criminal Court

On 13 July 2012, the government of Mali referred its situation to the International Criminal Court for the crimes that were committed after the eruption of violence in January 2012. As a state party to the ICC since 2000, Mali has consented to the Court’s jurisdiction over crimes in the Rome Statute which are genocide,
crimes against humanity and war crimes. On 16 January 2013 ICC Prosecutor Fatou Bensouda formally opened an investigation into alleged atrocity crimes committed in Mali, which include murder, public executions, amputations, and rapes. Fatou Bensouda stated that such acts may constitute war crimes under the Rome Statute. On 22 September 2014, in his report on the situation in Mali, the Secretary General of the UN urged the government of Mali to continue to cooperate with the ICC in order to bring perpetrators of atrocity crimes to justice. However, the ICC has yet to issue any arrest warrants for alleged crimes committed in Mali.

V. Rise in terrorist violence

On 18 June 2013, the transitional government signed a peace agreement in Ouagadougou, Burkina Faso with Tuareg rebels. This agreement paved the way for presidential elections and imposed an immediate ceasefire. Mali then elected Ibrahim Boubacar Keita, a former prime minister, as president in a vote largely deemed free and fair on 12 August 2013. In his inaugural address, Keita promised to enter into an inclusive dialogue and reconciliation process to achieve sustainable peace.

Although the intervention of the French military and the election of President Keita ushered in some needed stability to the region, violence from both rebel Tuareg and Islamist groups continue. In regards to violence from terrorist Islamist groups, UN Secretary General Ban Ki-Moon on 22 September 2013 stated that the withdrawal of Malian security forces in the north and the drawdown and reconfiguration of Operations Serval and Barkhane have contributed to the increase of extremist violence in Mali. Furthermore, due to MINUSMA’s extended mandate as per Security Council resolution 2164 and its network of bases, the UN mission is becoming the main target for extremist violence.

In February 2014 a top official of MUJAO claimed to have captured a group of five Red Cross workers who had gone missing when traveling from Kidal to Gao. French military forces in April 2014
freed the humanitarian workers. Six government workers and two civilians were murdered when Tuareg separatists attacked the regional governor’s office on 18 May 2014. In this attack, eight soldiers were murdered, and thirty civil servants were captured by the rebels when IBK was visiting northern Mali. In response, the Malian army launched an offensive on Kidal, which failed and caused the deaths of twenty soldiers.

Foreign Policy states that between 27 May 2014 and 15 September 2014, rebel forces in Mali have launched 27 attacks targeting United Nations facilities and personnel. UN peacekeeping Chief Herve Ladsous told the Security Council that: “We are in a situation where we are no longer in a peacekeeping environment”. This illustrates that peacekeepers are under constant threat of attack from terrorist and extremist groups in northern Mali. Up to thirty one MINUSMA peacekeepers have been killed with more than ninety wounded since the beginning of the mission.

Fighting has also occurred between Mali’s rebel groups, who have formed rival rebel coalitions. The “Coordination” coalition consists of the MNLA, the Haut Conseil pour l’Unité de l’Azawad and the Mouvement Arabe de l’Azawad (MAA). The “Platform” coalition consists of the Coordination des Mouvements et Fronts Patriotiques de Résistance, the Coalition du Peuple pour l’Azawad (CPA) and another MAA faction. The Platform is perceived to be close to the government.

VI. Looking forward

On 20 May 2014, the Malian National Assembly established the Truth, Justice and Reconciliation Commission (Commission Vérité, Justice et Réconciliation, CVJR). This commission has a three year mandate in order to determine the truth about atrocity crimes committed between 1960-2013. However, the establishment of the commission has been stalled as of July 2014. A ceasefire between the Malian government and representatives of Tuareg rebels was reached on 23 May
2014 after a meeting between the chairman of the African Union, Mohamed Ould Abdel Aziz and rebel groups proved beneficial.

Combined efforts by the Algerian government, the African Union, ECOWAS and the UN Special Representative of Mali led to formal peace negotiations between armed groups and the Malian government. The first round of these talks took place from 14 - 24 July 2014 in Algiers. In these negotiations, Mali’s foreign minister Abdoulaye Diop stated that independence of Azawad was not up for discussion, but would be open to giving northern regions more power and sway in government. The representative for the rebels, Mahamadou Djeri Maiga accepted the independence of Mali and suggested that the country be made whole.

As a result of the first round of negotiations, a roadmap for negotiations in Algiers and the declaration of cessation of hostilities (signed separately with the Coordination and the Platform) was adopted by the Malian government and rebel groups on 24 July 2014. The road map focuses the talks in four key areas: “political and institutional issues, defense and security issues; economic development, social and cultural issues; and reconciliation, justice and humanitarian issues”. The declaration of cessation of hostilities strengthens the commitment of both sides to the 23 May 2014 ceasefire and to Security Council Resolution 2164. A second round took place early in September, which addressed political, security, development, justice and reconciliation issues.

The third and final round of the negotiations between the Malian government and the rebel groups began on 20 November 2014 in Algiers. Civil society actors have been vocal in asserting the issues that need to be addressed at the talks. International Crisis Group, for example, states that the negotiations have been severely strained by “institutional rivalries” and suggests that Algeria mediate an agreement focused on bolstering the 23 May 2014 ceasefire and addressing northern Mali communities. Resolving such issues would help towards ensuring equal distribution of resources and political responsibilities. Furthermore, other actors in the negotiations, such as MINUSMA and ECOWAS, should provide funding for the agreement, create a mechanism to manage donor funds with local Malian authorities and facilitate a rapid reaction system in case the peace process erodes. Human Rights Watch, meanwhile, recommends that forthcoming agreements clearly state that impunity will not be tolerated and ensure that alleged atrocity crimes committed by all actors during the 2012-2013 conflict are investigated. Moreover, HRW believes that the aforementioned
Truth, Justice and Reconciliation Commission was created without any tangible recommendations. HRW suggests that the commission is made independent from the government, involves all members of civil society, and creates regulations that provide the commission with investigative powers.

Reuters reports that the peace talks in Algeria ended on 28 November 2014 without a peace agreement reached between the Malian government and Tuareg rebels. Moussa Ag Assarid, a spokesman for the MNLA believes that the main reason for the breakdown of talks was because the Malian government was unwilling to hold concrete discussions on providing more autonomy for the northern region of the country. In a joint statement, Algeria, MINUSMA and the African Union announced that progress was made and remain optimistic about the talks in the future. Moussa Ag Assarid stated that another meeting is provisionally planned for January 2015.

Special thanks to Kirkland Green for his work in writing this page.