



UNHCR POSITION ON RETURNS TO MALI

1. Violence and a rapidly deteriorating humanitarian situation have prevailed in the northern part of Mali since mid-January 2012. Hostilities took place in the three main northern regions of Gao, Kidal and Timbuktu. Cities located near the border with Niger, Mauritania and Algeria such as Menaka, Anderamboukane, Intillit, Tissit, Léré, Aguelhok and Tessalit have also been affected. The conflict between the army and various armed groups operating in northern Mali, including the “Movement National de Liberation de l’Azawad (MNLA)”, has had a grave impact on civilian populations. Human rights abuses and the disruption of basic services in the north have forced populations into displacement. Security incidents targeting populations originating from northern Mali have been reported in parts of southern Mali, such as Bamako and its surrounding areas.
2. On 21 March 2012, elements of the national armed forces seized power from the democratically-elected government of Mali, dissolved government institutions, suspended the Constitution, and established the “Comité National de Redressement pour la Démocratie et la Restauration de l’Etat”. The coup aggravated the already dire humanitarian and human rights situation, characterized by allegations of abuses against civilians, including murder, rape and looting, as well as a food crisis in northern Mali.¹
3. Following the fall of the three main northern towns of Kidal, Gao, Timbuktu on 4 April 2012, the MNLA declared the independence of northern Mali and the formation of Azawad on 6 April 2012. The same day, the Economic Community of West African States (ECOWAS) and the military junta signed a framework agreement to transfer power to the President of the National Assembly, who was sworn in as interim President on 12 April. This led to the lifting of ECOWAS sanctions. A government of transition has been formed, however uncertainty remains with respect to the overall stability of Mali, not least because the duration of the transition is unknown, members of the former junta still hold power and the country is *de facto*

¹ See UN Security Council, *Security Council Press Statement on Mali*, SC/10603-AFR/2370, 10 April 2012, <http://www.un.org/News/Press/docs/2012/sc10603.doc.htm>; UN News Service, *Senior UN official condemns ‘alarming’ reports of sexual violence in Mali*, 10 April 2012, <http://www.unhcr.org/refworld/docid/4f9537682.html>.

separated. As of early May, heavy fighting was reported in Bamako between the military junta and soldiers thought to be loyal to Mali's deposed President, reportedly resulting in arrests and civilian casualties. Ongoing demarches between the interim civilian institutions, the military junta, other Malian stakeholders, representatives of ECOWAS and the various groups in northern Mali have so far not resulted in a political settlement of the conflict in the north.

4. Since mid-January, over 130,000 Malians have been displaced internally, including an estimated 25,000 in Bamako, and the numbers continue to rise. Over 140,000 refugees have been registered in the neighbouring countries, primarily in Mauritania, Burkina Faso, and Niger and substantial numbers of refugees continue to arrive in these countries. UNHCR welcomes the decisions of Governments in the region to recognize these refugees on a *prima facie* basis, their generous response as well as their cooperation with UNHCR and other humanitarian actors.
5. As the situation in Mali is fluid and remains uncertain, UNHCR recommends that States suspend forcible returns of nationals or habitual residents of Mali to the country until the security and human rights situation has stabilized.

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