



Home Office

# **Country Information and Guidance**

## **Mali: The Bellah (also known as the 'black Tuareg')**

Version 1.0

April 2016

# Preface

This document provides country of origin information (COI) and guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the guidance contained within this document; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

## Country Information

The COI within this document has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the European Asylum Support Office’s research guidelines, [Country of Origin Information report methodology](#), dated July 2012.

## Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please [e-mail us](#).

## Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy.

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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# Guidance

Updated: 12 January 2016

## 1. Introduction

### 1.1 Basis of Claim

1.1.1 Fear of persecution or serious harm by non-state actors as a consequence of being a member of the Bellah (black Tuareg).

### 1.2 Other points to note

1.2.1 The Tuareg communities are based in northern Mali. No evidence could be found of black Tuareg, in any significant numbers, living in the southern regions of Mali.

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## 2. Consideration of Issues

### 2.1 Credibility

2.1.1 For guidance on assessing credibility, see sections 4 and 5 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview. See the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)

2.1.3 Decision makers should also consider the need to conduct language analysis testing. See the [Asylum Instruction on Language Analysis](#).

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### 2.2 Assessment of risk

2.2.1 Tuareg society is traditionally hierarchical and is divided into castes. The Bellah – also known as the ‘black Tuareg’, or ‘black Tamasheqs’ – who are dark-skinned members of Tuareg society, are at the bottom of this hierarchy. They have, for generations, been deprived of basic civil liberties and subjected by members of ‘higher’ Tuareg castes to slavery-related practices rooted in relationships of hereditary servitude, having been considered the ‘property’ of other Tuaregs from birth. As of 2013, an estimated 200,000 Bellah (meaning ‘slaves’) were kept in ‘descent-based enslavement’ in Mali.

2.2.2 Not all black Tuaregs live in conditions of slavery, but black Tuaregs in general continue to face societal discrimination throughout Mali. Bellah women are at particular risk of sexual violence and other forms of ill treatment which could amount to persecution in individual cases.

2.2.3 See also [Country Information and Guidance on Mali: Security situation in northern Mali](#).

2.2.4 For further guidance on assessing risk, see section 6 of the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.3 Protection

2.3.1 Despite it being contrary to the provisions of the Constitution, there are no laws in Mali which criminalise slavery and government officials have denied that the practice exists.

2.3.2 Northern Mali, where the Bellah and other Tuareg communities are based, has been in a state of armed conflict since 2012. Certain institutions necessary for the maintenance of law and order have not been restored. Effective protection will not therefore be available in northern Mali (see [Country Information and Guidance on Mali: Security situation in northern Mali](#)).

2.3.3 For further guidance on assessing the availability or not of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#)

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## 2.4 Internal relocation

2.4.1 Decision makers must give careful consideration to the relevance and reasonableness of internal relocation on a case-by-case basis, taking full account of the individual circumstances of the particular person.

2.4.2 There are no legal obstacles to freedom of movement in Mali, but Bellah communities are concentrated in the north of the country. The decision maker must consider whether relocation to southern Mali would be unduly harsh (see [Freedom of movement](#)).

2.4.3 See also [Country Information and Guidance on Mali: Security situation in northern Mali](#).

2.4.4 For guidance on considering internal relocation and the factors to be taken into account, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#)

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## 2.5 Certification

2.5.1 Mali is listed as a designated state under section 94 of the Nationality, Immigration and Asylum Act 2002 in respect of men only. However claims made by black Tuareg/Bellah persons are unlikely to be certifiable as 'clearly unfounded'.

2.5.2 For further information on certification, see the [Appeals Instruction on Non-Suspensive Appeals: Certification under Section 94 of the NIA Act 2002](#).

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## 3. Policy Summary

3.1.1 A large number of black Tuareg (Bellah) are kept in conditions of slavery, mainly by members of 'higher' Tuareg castes. Not all black Tuaregs live in conditions of slavery, but black Tuaregs in general face societal discrimination throughout Mali, although this in itself is not sufficient to amount to a real risk of persecution or serious harm. Bellah women are at increased risk of sexual

violence and other forms of ill treatment, which may amount to persecution in individual cases. .

- 3.1.2 Effective state protection is, generally, not available in northern Mali. Internal relocation to escape the risk may be viable, but this must be considered in the light of the person's individual circumstances.
- 3.1.3 Where a claim falls to be refused it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Immigration and Nationality Act 2002.

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# Country Information

Updated: 4 December 2015

## 4. Overview

4.1 The Immigration and Refugee Board of Canada (IRB), citing various external sources, stated in a response of 7 April 2014 that the Tuareg are a Berber ethnic group that inhabits parts of Algeria, Mali and some other north African countries. In Mali the Tuareg are estimated to make up about 10 per cent of the country's population<sup>1</sup> and they are concentrated in the northern regions (provinces) of the country. The Tuareg do not refer to themselves as such, but as 'imushagh' or 'imuhag', meaning 'the people who speak Tamasheq, or Tamahak.' The Tuareg are divided into politically autonomous confederations, which in turn are composed of clans.<sup>2</sup> The Tuareg are mostly Muslim and have traditionally lived a semi-nomadic lifestyle.<sup>3</sup>

For further information on the Tuareg in general, and their treatment in Mali, see this [Canadian IRB report](#).)

4.2 The Canadian IRB further noted that Tuareg society is traditionally strictly hierarchical and is divided into castes. Tuareg societal roles range from the nobility, to clerics, to 'vassals' and artisans, and finally to labourers who were formerly known as slaves. The **Bellah** – also known as the '**Black Tuareg**' or '**black Tamasheqs**' – are dark-skinned members of Tuareg society and are considered the descendants of Tuareg slaves.<sup>4</sup> CPIT has been unable to find an estimate of the total size of the Bellah population in Mali.

See also [Country Information and Guidance on Mali: Security situation in northern Mali](#).

4.5 According to an article in the Washington Post in June 2013: 'Today, many Bella have assimilated into Tuareg culture, speaking their language, Tamashek, and embracing similar cultural practices, so much so that the Bella are sometimes [also] called the Black Tamashek.'<sup>5</sup>

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<sup>1</sup> The CIA World Factbook estimated the total population of Mali to be 16.96 million by July 2015: <https://www.cia.gov/library/publications/the-world-factbook/geos/ml.html>, date accessed 5 October 2015

<sup>2</sup> Immigration and Refugee Board of Canada: [MLI104822.E] 'Mali: Information on the treatment of members of the Tuareg ethnic group by authorities and society (2013-March 2014)', 7 April 2014 <http://www.irb-cisr.gc.ca/Eng/ResRec/RirRdi/Pages/index.aspx?doc=455233&pls=1>, date accessed 2 October 2015

<sup>3</sup> BBC News, 'Q & A: Tuareg unrest', 7 September 2007 <http://news.bbc.co.uk/1/hi/world/africa/6982266.stm>, date accessed 2 October 2015

<sup>4</sup> Immigration and Refugee Board of Canada: [MLI104822.E] 'Mali: Information on the treatment of members of the Tuareg ethnic group by authorities and society (2013-March 2014)', 7 April 2014 <http://www.irb-cisr.gc.ca/Eng/ResRec/RirRdi/Pages/index.aspx?doc=455233&pls=1>, date accessed 2 October 2015

<sup>5</sup> The Washington Post: 'Timbuktu slaves liberated as Islamists flee', 1 June 2013 <https://www.washingtonpost.com/world/timbuktus-slaves-liberated-as-islamists->

## 5. Treatment

- 5.1 The US Department of State 2014 Report on Trafficking, published on 20 June 2014, noted: 'Some members of Mali's black Tamachek (Bellah) community are subjected [by members of 'higher' Tuareg castes] to slavery-related practices rooted in traditional relationships of hereditary servitude. This involuntary servitude reportedly has been transferred from adults to their children.'<sup>6</sup>
- 5.2 As of 2013, an estimated 200,000 Bellah lived in 'descent-based slavery'<sup>7</sup>, despite slavery being contrary to the provisions of Mali's Constitution.<sup>8</sup> (The Guardian, in April 2013, estimated that there were 250,000 people living in conditions of slavery in Mali.<sup>9</sup>) This practice of slavery still continued in the areas of northern Mali that came under the control of Islamist militia after July 2012.<sup>10</sup>
- 5.2 The Washington Post has observed:  
'Tuaregs used to raid Bella communities, abducting villagers to work for no compensation as shepherds, house servants, laborers in salt mines, even as sexual slaves. Yet during times of famine or other economic crises, Bella have voluntarily entered a bondage system in order to feed themselves. Many remained with their masters out of economic necessity, forced to live with the abuse.'<sup>11</sup>
- 5.3 The NGO Anti-Slavery International has described the conditions common to descent-based slavery (in Mali and elsewhere):  
'Descent-based slavery describes a situation where people are born into a "slave class", caste or a group viewed as being in slavery by other members of their society.  
'People born into slavery face a lifetime of exploitation and abuse...

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[flee/2013/05/31/ea4d3e1a-c142-11e2-9aa6-fc21ae807a8a\\_story.html](http://www.refworld.org/docid/53aab9cf14.html), date accessed 2 October 2015

<sup>6</sup> US Department of State: 2014 Trafficking in Persons Report - Mali, 20 June 2014,

<http://www.refworld.org/docid/53aab9cf14.html>, date accessed 26 November 2015

<sup>7</sup> Immigration and Refugee Board of Canada: [MLI104822.E] 'Mali: Information on the treatment of members of the Tuareg ethnic group by authorities and society (2013-March 2014)', 7 April 2014

<http://www.irb-cisr.gc.ca/Eng/ResRec/RirRdi/Pages/index.aspx?doc=455233&pls=1>, date accessed 2 October 2015

<sup>8</sup> The Constitution of the Republic of Mali (unofficial translation)

<http://confinder.richmond.edu/admin/docs/Mali.pdf>, date accessed 2 October 2015

<sup>9</sup> The Guardian (London): 'Families in Mali splintered by slavery as culture and conflict converge', 3 April 2013 <http://www.theguardian.com/global-development/2013/apr/03/families-mali-slavery-culture-conflict>, date accessed 2 October 2015

<sup>10</sup> The Washington Post: 'Timbuktu slaves liberated as Islamists flee', 1 June 2013 [https://www.washingtonpost.com/world/timbuktus-slaves-liberated-as-islamists-flee/2013/05/31/ea4d3e1a-c142-11e2-9aa6-fc21ae807a8a\\_story.html](https://www.washingtonpost.com/world/timbuktus-slaves-liberated-as-islamists-flee/2013/05/31/ea4d3e1a-c142-11e2-9aa6-fc21ae807a8a_story.html), date accessed 2 October 2015

[https://www.washingtonpost.com/world/timbuktus-slaves-liberated-as-islamists-flee/2013/05/31/ea4d3e1a-c142-11e2-9aa6-fc21ae807a8a\\_story.html](https://www.washingtonpost.com/world/timbuktus-slaves-liberated-as-islamists-flee/2013/05/31/ea4d3e1a-c142-11e2-9aa6-fc21ae807a8a_story.html), date accessed 2 October 2015

<sup>11</sup> The Washington Post: 'Timbuktu slaves liberated as Islamists flee', 1 June 2013

[https://www.washingtonpost.com/world/timbuktus-slaves-liberated-as-islamists-flee/2013/05/31/ea4d3e1a-c142-11e2-9aa6-fc21ae807a8a\\_story.html](https://www.washingtonpost.com/world/timbuktus-slaves-liberated-as-islamists-flee/2013/05/31/ea4d3e1a-c142-11e2-9aa6-fc21ae807a8a_story.html), date accessed 2 October 2015



'They are treated as property by their "masters". They can be inherited, sold or given away... Any children born (to slaves) are...considered property of the "masters"; many children can be taken away from their mothers at an early age.

'They often suffer from degrading treatment, are excluded from education and politics, and are not allowed to own land or [inherit] property.

'Girls are typically sexually abused by men in the household and may be forced to marry at a young age. Many young girls and women are sold into sexual and domestic slavery...

'Those who escape slavery also face ongoing discrimination because they are part of the "slave" caste and therefore have few opportunities for employment away from their "master".<sup>12</sup>

5.4 As stated in the US Department of State 2014 Human Rights Report for Mali (USSD 2014):

'Societal discrimination continued against black Tuaregs, often referred to as "Bellah". Some ethnic groups deprived black Tuaregs of basic civil liberties due to traditional slavery-like practices and hereditary servitude relationships. Black Tuaregs...also reported basic civil liberties due to traditional slavery-like practices and hereditary servitude relationships systematic discrimination by local officials and others, which hindered their ability to obtain identity documents or voter registration cards, locate adequate housing, enrol their children in schools, protect their animals from theft, seek other forms of legal protection, obtain education, or access development aid.

'There were continued reports of slave masters kidnapping the children of their Bellah slaves, who had no legal recourse. Slave masters considered slaves and their children as property and reportedly took slave children to be raised elsewhere without permission from their parents. On August 14 [2014], antislavery organizations held a press conference with five escaped Bellah slaves, one of whom reported being kidnapped by her slave master when she was born.

'Black Tuareg children were forced to work as domestic and agricultural laborers.<sup>13</sup>

5.5 According to USA Today, 'In the Timbuktu region, slaves work on farms or as household servants or shepherds. Deeper in the vast desert of the [northern Mali], inhabited by Tuaregs and Arabs, the slaves mine salt, a back-breaking task done under the Saharan sun.'<sup>14</sup>

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<sup>12</sup> Anti-Slavery International: 'Descent Based Slavery', undated [http://www.antislavery.org/english/slavery\\_today/descent\\_based\\_slavery/default.aspx](http://www.antislavery.org/english/slavery_today/descent_based_slavery/default.aspx), date accessed 2 October 2015

<sup>13</sup> US Department of State: Country Reports on Human Rights Practices for 2014 – Mali, 26 June 2015 (Section 6) <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dclid=236380#wrapper>, date accessed 2 October 2015

<sup>14</sup> USA Today: 'Mali slavery problem persists after French invasion', 15 February 2013 <http://www.usatoday.com/story/news/world/2013/02/14/mali-slavery/1920579/>, date accessed 2

- 5.6 The Guardian commented in an article of 3 April 2013:  
 ‘Anti-slavery groups say the conflict [since January 2012] and ensuing political chaos in Mali has worsened the situation facing the 250,000 people who live in conditions of slavery in the west African state. The MNLA [National Movement for the Liberation of Azawad] leadership and parts of the Ansar Dine Islamist group, which fought for control of the north... come from Tuareg noble families, some of whom are responsible for continuing the practice of slavery in Mali.’<sup>15</sup>
- 5.7 The Washington Post reported on 1 June 2013 that ‘hundreds’ of Bellah had been released from slavery in Timbuktu and from some other locations, as Islamist militants fled in the face of advances by French and other international troops.<sup>16</sup> USA Today noted, however: ‘The insurgents who have fled from invading French troops in Mali have been taking with them some of their most important possessions – slaves.’<sup>17</sup>
- 5.8 According the Washington Post article of 1 June 2013:  
 ‘Those who have been freed, often by running away, still face discrimination because of their family’s historical status as slaves.  
 ‘Many slaves who had escaped their masters in remote villages came to Timbuktu in search of work. But with neither vocational skills nor formal education, many were forced to work as servants for Tuareg or Arab Moor families. In the city, according to former slaves, their employers still treated them as if they were their property. But at least they were being paid — although the sums were paltry — were working reasonable hours and were seldom beaten, the former slaves said, speaking freely because their masters were no longer in Timbuktu.’<sup>18</sup>
- 5.9 The Centre for Civilians in Conflict (CIVIC) reported in May 2015 that Bellah women have been particularly vulnerable to sexual violence, including forced marriage, which increased significantly in 2012 when MNLA insurgents occupied northern Mali. CIVIC further noted, ‘Interviewed civilians reported that both sexual violence and armed criminality decreased after the withdrawal of the MNLA ... Even after the return of limited State presence in Gao and Timbuktu, rates of sexual violence remained elevated. Although less

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<sup>15</sup> The Guardian (London): ‘Families in Mali splintered by slavery as culture and conflict converge’, 3 April 2013 <http://www.theguardian.com/global-development/2013/apr/03/families-mali-slavery-culture-conflict>, date accessed 2 October 2015

<sup>16</sup> The Washington Post: ‘Timbuktu slaves liberated as Islamists flee’, 1 June 2013 [https://www.washingtonpost.com/world/timbuktus-slaves-liberated-as-islamists-flee/2013/05/31/ea4d3e1a-c142-11e2-9aa6-fc21ae807a8a\\_story.html](https://www.washingtonpost.com/world/timbuktus-slaves-liberated-as-islamists-flee/2013/05/31/ea4d3e1a-c142-11e2-9aa6-fc21ae807a8a_story.html), date accessed 2 October 2015

<sup>17</sup> USA Today: ‘Mali slavery problem persists after French invasion’, 15 February 2013 <http://www.usatoday.com/story/news/world/2013/02/14/mali-slavery/1920579/>, date accessed 2 October 2015

<sup>18</sup> The Washington Post: ‘Timbuktu slaves liberated as Islamists flee’, 1 June 2013 [https://www.washingtonpost.com/world/timbuktus-slaves-liberated-as-islamists-flee/2013/05/31/ea4d3e1a-c142-11e2-9aa6-fc21ae807a8a\\_story.html](https://www.washingtonpost.com/world/timbuktus-slaves-liberated-as-islamists-flee/2013/05/31/ea4d3e1a-c142-11e2-9aa6-fc21ae807a8a_story.html), date accessed 2 October 2015

prevalent than during the MNLA offensive, sexual violence remains a significant risk.<sup>19</sup>

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## 6. State protection

- 6.1 The Guardian recorded in April 2013: 'Despite the Constitution, slavery is still not illegal in Mali, making it difficult for anti-slavery groups to launch criminal prosecutions.' The Guardian added, 'Efforts to bring civil compensation cases to court on behalf of escaped slaves have stalled with the collapse of Malian state institutions across the north.'<sup>20</sup> The Washington Post confirmed that there is 'no law that criminalizes slavery, making it hard to seek legal action. And there's little political will to address the problem: Many government officials deny the practice exists.'<sup>21</sup>
- 6.2 As described in the [Country Information and Guidance on Mali: Security situation in northern Mali](#), the northern regions of the country have been in a state of armed conflict since January 2012. Although a ceasefire agreement between the Mali government and Tuareg-led separatist movements was entered into in June 2015, the north of the country (as of September 2015) has remained in a state of armed unrest and rampant criminality, and institutions necessary for the maintenance of law and order, including a government-controlled police force, have not been restored.

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## 7. Freedom of movement

- 7.1 The USSD 2014 Report recorded:
- 'The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation. The government generally respected these rights.
- 'While in-country movement was not formally restricted, the army established checkpoints to maintain security, and the unstable security situation limited freedom of movement. The populations of Gao, Kidal, and Timbuktu feared leaving the cities for security reasons, including the threat from roadside bombs, related to the northern conflict.'<sup>22</sup>

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<sup>19</sup> Centre for Civilians in Conflict: 'Fending for Ourselves: The Civilian Impact of Mali's Three-Year Conflict', 11 May 2015 (p28-29) <http://civiliansinconflict.org/resources/pub/fending-for-ourselves-the-civilian-impact-of-malis-three-year-conflict>, date accessed 2 October 2015

<sup>20</sup> The Guardian (London): 'Families in Mali splintered by slavery as culture and conflict converge', 3 April 2013 <http://www.theguardian.com/global-development/2013/apr/03/families-mali-slavery-culture-conflict>, date accessed 2 October 2015

<sup>21</sup> The Washington Post: 'Timbuktu slaves liberated as Islamists flee', 1 June 2013 [https://www.washingtonpost.com/world/timbuktus-slaves-liberated-as-islamists-flee/2013/05/31/ea4d3e1a-c142-11e2-9aa6-fc21ae807a8a\\_story.html](https://www.washingtonpost.com/world/timbuktus-slaves-liberated-as-islamists-flee/2013/05/31/ea4d3e1a-c142-11e2-9aa6-fc21ae807a8a_story.html), date accessed 2 October 2015

<sup>22</sup> US Department of State: Country Reports on Human Rights Practices for 2014 – Mali, 26 June 2015 (Section 2d) <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236380#wrapper>, date accessed 2 October 2015

7.2 The Tuareg communities, including the black Tuareg (Bellah), are based in northern Mali. CPIT could not find evidence of black Tuareg, in any significant numbers, living in the southern regions of Mali.

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# Version Control and Contacts

## Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you or you think that the guidance has factual errors then email [the Country Policy and Information Team](#).

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email [the Guidance, Rules and Forms Team](#).

## Clearance

Below is information on when this version of the guidance was cleared:

- version **1.0**
- valid from **15 April 2016**
- this version approved by **Sally Weston, Head of Legal Strategy Team, International and Immigration Policy Directorate**
- approved on: **24/03/2016**

## Changes from last version of this guidance

N/A

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