



Home Office

# **Country Information and Guidance**

## **Mali: Security and humanitarian situation in northern Mali**

Version 1.0

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# 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 and / or state actors as a consequence of the general security and human rights situation in the regions (provinces) of Tombouctou, Kidal, Gao and part of Mopti; and/or
- 1.1.2 That the security situation in Mali presents a real risk which threatens life or person such that removal would be in breach of Article 15(c) of European Council Directive 2004/83/EC of 29 April 2004 ('the Qualification Directive').

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## 2. Consideration of Issues

### 2.1 Credibility

- 2.1.1 For further guidance on assessing credibility, see 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 Northern Mali has been in a state of armed conflict since January 2012. 'Azawad', the name given to the territory claimed by insurgent movements, includes all of the northern regions (provinces) and encompasses over half of Mali's total land area and about 12% of the country's population (see [Map](#)). Those actors involved in the conflict – Tuareg-led separatist forces, Islamist militia, the security forces, and pro-government militia – have all been responsible for serious human rights violations (see [Rule of law](#)).
- 2.2.2 Although the government and a coalition of separatist forces entered into a UN-brokered ceasefire agreement in June 2015, there has since been an increase in violence perpetrated by Islamist groups (who were not party to the agreement) and in armed clashes between Tuareg tribal factions (see [Conflict \(insurgency\) in northern Mali](#)).
- 2.2.3 A state of civil instability and/or where law and order has broken down does not of itself give rise to a well-founded fear of persecution for a Convention reason. Simply living in an area where militant groups are active, either wholly or partly, may not give rise to a protection need. The level of risk will depend

on the particular profile of the person, the nature of the threat and how far it would extend.

- 2.2.4 Where a person comes from a place where there is a state of civil instability and/or where law and order has broken down and/or where militant groups are active, they may have a well-founded fear of persecution for a Convention reason. Primary targets for militants are those opposing, or perceived to be opposing, the militant groups including political and/or tribal leaders, state representatives, security forces, minority religious groups and perceived political opponents, and NGO and aid workers. Civilians who are seen to have collaborated with the French army or the Malian security forces may also be targeted.
- 2.2.5 For further guidance on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.3 Exclusion

- 2.3.1 Human rights abuses have been committed against the civilian population by both the security forces and anti-government militia (see [Rule of law](#)). If it is accepted that the person has been involved with the Malian security forces or with a separatist or Islamist militia group, then decision makers must consider whether one of the Exclusion clauses is applicable.
- 2.3.1 Where a person is excluded from protection under the Refugee Convention they are also excluded from Humanitarian protection but if there is a real risk of a breach of Article 3 ECHR or Article 15(c) of the Qualification Directive, they may be entitled to Discretionary Leave or Restricted Leave.
- 2.3.2 For further guidance on the exclusion clauses, discretionary leave and restricted leave, see the [Asylum Instruction on Exclusion: Article 1F of the Refugee Convention](#), the [Asylum Instruction on Discretionary Leave](#) and the [Asylum Instruction on Restricted Leave](#).

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## 2.4 Humanitarian situation

- 2.4.1 More than 3 million people – roughly 20% of Mali's population – are reported to be experiencing food insecurity and there are significant difficulties in accessing basic services such as education and health. The security situation has exacerbated an already poor humanitarian situation; Mali is among the 25 poorest countries in the world (see [Internally displaced persons \(IDPs\) and the humanitarian situation in northern Mali](#)).
- 2.4.2 It was estimated in May 2015 that there were over 100,000 IDPs in Mali and 134,000 Malian refugees in Mauritania, Niger and Burkina Faso (see [Internally displaced persons \(IDPs\) and the humanitarian situation in northern Mali](#)).
- 2.4.3 The humanitarian situation throughout Mali is not so severe that it represents a general risk of harm to all sections of the population, so that removal would be contrary to Article 3 of the ECHR in all cases. However, decision makers must consider on the facts of the case whether a returnee, by reason of his or her individual vulnerability, may face a real risk of harm contrary to Article 3 of

the ECHR as a result of the humanitarian situation if they are unable to relocate.

- 2.4.4 For further guidance and factors to be considered see the [Asylum Instruction on Humanitarian Protection](#).

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## 2.5 Article 15(c)

- 2.5.1 It is only if the person does not qualify under the Refugee Convention that decision makers need to make an assessment of the need for protection firstly under Article 3 of the European Convention on Human Rights (ECHR) and, if that is unsuccessful, under Article 15(c) of the Qualification Directive.
- 2.5.2 Unlike Article 3 of the European Convention on Human Rights (ECHR), Article 15(c) of the Qualification Directive applies only to civilians, who must be genuine non-combatants and not those who are party to the conflict. This could include former combatants who have genuinely and permanently renounced armed activity.
- 2.5.3 There have not been reports of a substantial number of casualties among non-combatants (civilians) in northern Mali since 2013. The evidence does not indicate that the current level of violence provides substantial grounds for believing that a person, solely by being present there, faces a real risk of harm which threatens their life or person (see [Conflict \(insurgency\) in northern Mali](#)).
- 2.5.4 Even though there is no general Article 15(c) risk, decision makers must consider whether there are particular factors relevant to the person's individual circumstances which might nevertheless place them at risk.
- 2.5.5 For guidance on Article 15(c), including consideration of enhanced risk factors, see [Asylum Instruction on Humanitarian Protection](#).

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## 2.6 Protection

- 2.6.1 There are large swaths of territory in northern Mali which are devoid of state authority and widespread lawlessness, unchecked criminality and insecurity prevail. Although there has been some progress in re-establishing the judiciary in Timbuktu and Gao regions, it is unlikely that the government institutions necessary for the effective maintenance of law and order will be fully restored in northern Mali until the security situation substantially improves. There is, in general, no effective police service in the north which is under the control of the central government (see [Rule of law](#)).
- 2.6.2 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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## 2.7 Internal relocation

- 2.7.1 Although there are no legal obstacles to freedom of movement in Mali, army checkpoints to maintain security, and the unstable security situation may limit freedom of movement (see [Freedom of movement](#)).

- 2.7.2 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 and their ability to cater for their most basic needs. If the person fears persecution by a non-state actor, decision makers must consider the ability of the persecutor to pursue the person to the proposed area of relocation.
- 2.7.3 For guidance on internal relocation, see [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.8 Certification

- 2.8.1 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 persons who may originate from the northern regions (provinces) of the country, as identified on the attached [maps](#), are unlikely to be certifiable as clearly unfounded unless internal relocation to the south of the country is an option for the person..
- 2.8.2 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 Northern Mali has been in a state of armed conflict since January 2012 with human rights abuses committed against the civilian population by both anti-government militia and the security forces.
- 3.1.2 Primary targets for militants are those opposing, or perceived to be opposing, the militant groups including political and/or tribal leaders, security forces, minority religious groups and perceived political opponents, and NGO and aid workers.
- 3.1.3 The humanitarian situation in Mali is poor as a consequence of the security situation, which has led to a gap in assistance for populations in the north of the country. In 2015 over 3 million people in Mali, or 18 per cent of the country's population, faced food insecurity. However the situation is not so severe that it represents a general risk of harm contrary to Article 3.
- 3.1.4 There have not been reports of substantial casualties among non-combatants (civilians) in northern Mali since 2013. The evidence does not indicate that the current level of violence provides substantial grounds for believing that a person, solely by being present there, faces a real risk of harm which threatens their life or person.
- 3.1.5 Where a person is at risk there is no effective protection available in northern Mali but internal relocation to other parts of the country may be viable depending on the individual circumstances of the person.

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# Country Information

Updated: 30 November 2015

## 4. Conflict (insurgency) in northern Mali

### 4.1 Origins of the conflict

4.1.1 Since Mali's independence in 1960, a number of (mainly Tuareg-led) uprisings have been launched in the north of the country; in the 1960s, the 1990s, and again in 2006. Each of these ended in short term ceasefire agreements with the government.<sup>1</sup>

4.1.2 In January 2012, several insurgent groups began fighting a campaign against the Malian government for independence or greater autonomy for northern Mali, an area referred to by the separatists as 'Azawad'. Azawad roughly comprises the regions/provinces of Tombouctou, Kidal, Gao and part of Mopti, including the cities of Kidal, Gao and Timbuktu.<sup>2</sup> Azawad is largely semi-desert and desert, and encompasses well over half of Mali's total land area (see [Map](#)), but only about 12% of the country's population (based on the 2009 Census).<sup>3 4</sup>

4.1.3 By April 2012 the National Movement for the Liberation of Azawad (known by its French acronym MNLA), a Tuareg-led umbrella organisation which incorporated various disparate militia, had effectively taken control of northern Mali and unilaterally proclaimed the independence of the 'Islamic Republic of Azawad'. The MNLA, which is nominally secular, was initially backed by the Islamist group Ansar al-Dine. After the Malian army was driven from the north, Ansar al-Dine and other Islamist groups, including al-Qaeda in the Islamic Maghreb (AQIM) and MUJAO (Movement for Unity and Jihad in West Africa), began imposing strict Sharia law. Fighting broke out between the MNLA and these groups and, by July 2012, the MNLA had lost control of most of northern Mali to the Islamists.<sup>5 6</sup>

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<sup>1</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 27 September 2015

<sup>2</sup> Breaking News: Mali unrest, undated (2015) <http://www.breakingnews.com/topic/mali-unrest/>

<sup>3</sup> Wikipedia (sourced to 2009 Census): 'Regions of Mali', modified 21 June 2015

[https://en.wikipedia.org/wiki/Regions\\_of\\_Mali](https://en.wikipedia.org/wiki/Regions_of_Mali) The 2009 Census data is in French at <http://instat.gov.ml/documentation/mali.pdf> (Note: The 2009 Census gave the country's population as 14.5 million; the CIA World Factbook estimated the population to be 16.9 million by July 2015.)

<sup>4</sup> Norwegian Peacebuilding Resource Centre: Francesco Strazzari: 'Azawad and the rights of passage: the role of illicit trade in the logic of armed group formation in northern Mali', January 2015 [http://www.clingendael.nl/sites/default/files/Strazzari\\_NOREF\\_Clingendael\\_Mali\\_Azawad\\_Dec2014.pdf](http://www.clingendael.nl/sites/default/files/Strazzari_NOREF_Clingendael_Mali_Azawad_Dec2014.pdf) (Introduction), date accessed 27 September 2015

<sup>5</sup> Breaking News: Mali unrest, undated (2015) <http://www.breakingnews.com/topic/mali-unrest/>, date accessed 27 September 2015

<sup>6</sup> Al Jazeera: 'Making sense of Mali's armed groups', 17 January 2013 <http://www.aljazeera.com/indepth/features/2013/01/20131139522812326.html>, accessed 27 September 2015



4.1.4 The government of Mali requested foreign military assistance to re-take the north. In January 2013 the French military commenced operations against the Islamist militia. Forces from African Union states were also deployed. By 8 February 2013, the Islamist-held territory had been re-taken by the Malian military with the support of the international forces. A peace agreement between the government and MNLA was signed on 18 June 2013, but on 26 September 2013 the MNLA withdrew from the agreement, claiming that the government had not respected its commitments to the truce.<sup>7</sup>

4.1.5 Pro-government militia groups, primarily 'Platform' (or 'Plateforme'), have also been engaged in fighting against the separatists in northern Mali.<sup>8</sup>

## 4.2 Developments since June 2015

4.2.1 On 19/20 June 2015 a diverse coalition of northern separatists which included the MNLA, under the banner 'The Co-ordination of Azawad Movements' (CMA), signed a UN-brokered ceasefire agreement with the Mali government and pro-government militia (Plateforme), following lengthy talks in Algiers. It was hoped that this would pave the way for a more comprehensive settlement. (Mali's government has rejected any notion of full autonomy for Azawad in a federal system, but said it would devolve more authority under Mali's existing decentralised structure.) The Islamist armed groups in the north were not party to the agreement.<sup>9</sup><sup>10</sup> The agreement included the release of prisoners and, according to Reuters, 'envisaged the overhaul of the Malian army to incorporate the militia fighters and its return to the desert north, much of which is controlled by the Tuareg groups.'<sup>11</sup>

4.2.2 On 29 June 2015 the UN Security Council resolved to extend the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) for another year, maintaining an authorized ceiling of 11,240 military personnel.<sup>12</sup> Human Rights Watch noted in an April 2015 report that, since its creation in July 2012, MINUSMA had been the target of at least 79 hostile attacks, in which 35 peacekeepers were killed and more than 130 wounded. Islamist armed groups have taken responsibility for many of these attacks.<sup>13</sup>

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<sup>7</sup> Breaking News: Mali unrest, undated (2015) <http://www.breakingnews.com/topic/mali-unrest/>

<sup>8</sup> Reuters: 'Mali separatists reject U.N. exclusion zone around northern towns', 19 August 2015 <http://uk.reuters.com/article/2015/08/19/uk-mali-violence-idUKKCN0QO26920150819>, accessed 27 September 2015

<sup>9</sup> The Guardian, 'Mali's separatist war ends at last', 30 June 2015 <http://www.theguardian.com/world/2015/jun/30/mali-separatist-war-ends-touareg-azawad-rebels>, date accessed 27 September 2015

<sup>10</sup> Reuters: 'Mali government, rebels agree security deal as step to peace accord', 5 June 2015 <http://uk.reuters.com/article/2015/06/05/uk-mali-security-idUKKBN0OL1CW20150605>, date accessed 27 September 2015

<sup>11</sup> Reuters: 'Insight - Clan warfare trumps diplomacy in Mali's fragile north', 31 August 2015 <http://uk.reuters.com/article/2015/08/31/us-mali-violence-militia-insight-idUKKCN0QZ0WC20150831>, date accessed 27 September 2015

<sup>12</sup> UN News Service, Extending mandate of UN mission in Mali, Security Council adds observers to monitor fresh ceasefire, 29 June 2015 <http://www.refworld.org/docid/559669fa40c.html> date accessed 27 September 2015

<sup>13</sup> Human Rights Watch: 'Mali: Lawlessness, Abuses Imperil Population', 14 April 2015 <https://www.hrw.org/news/2015/04/14/mali-lawlessness-abuses-imperil-population>, date accessed 27

4.2.3 IRIN News observed on 19 August 2015: 'More than eight weeks after a landmark peace accord between Mali's Bamako government and a Tuareg-led rebel coalition brought hope of an end to years of unrest, little has been done to end the fighting and militancy is once again on the rise. In recent months, Mali has experienced some of the worst violence since international forces pushed Islamist militants out of their northern strongholds in January 2013.'<sup>14</sup>

4.2.4 On 22 September 2015 the Secretary General of the UN Security Council published a report on developments during the period 12 June to 16 September 2015, stating:

'[T]he political process in Mali has made noticeable progress, in particular with the signing of the Agreement on Peace and Reconciliation in Mali ...on 20 June.

'In spite of the signing of the peace agreement ... the security situation remained extremely volatile. Violations of the ceasefire by the signatory armed groups were observed as they repositioned themselves in northern Mali.

'The worrisome trend of violent extremist [Islamist] and asymmetric threats against the Malian defence and security forces and MINUSMA continued during the reporting period.

'Armed banditry, intercommunal violence, indiscriminate attacks by extremist groups and retaliation from armed groups due to suspected support to the opposite group constituted the main threats of physical violence to civilians, resulting in an increased level of civilian casualties during June and July compared to the previous reporting period. However, civilian casualties reportedly decreased in August [2015]. The efforts by MINUSMA to ensure the implementation of ceasefire arrangements and the protection of civilians in populated areas included short- and long-range patrols independently and in coordination with the Malian defence and security forces.

'MINUSMA continued to document violations and abuses of human rights and international humanitarian law committed by the Malian defence and security forces, CMA, the Platform[e], extremist groups and other unidentified armed elements. At least 29 cases involving 70 victims were documented during the reporting period, including 21 cases of torture and ill-treatment, 4 cases of summary and arbitrary execution and 3 cases of arbitrary arrest and detention. The most affected regions were Gao, Sikasso and Timbuktu.

'The number of verified conflict-related sexual violence cases decreased from 23 to 2 cases since [the previous reporting period].

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September 2015.

<sup>14</sup>: IRIN: 'What peace deal? No end to Mali conflict', 19 August 2015

<http://reliefweb.int/report/mali/what-peace-deal-no-end-mali-conflict> Accessed via ReliefWeb

'Humanitarian access remained a challenge and affected the provision of assistance, particularly in Gao and Timbuktu regions, where the movements of humanitarian personnel and goods were restricted.'<sup>15</sup>

4.2.5 Associated Press reported that fighting had broken out in northern Mali on 15 August 2015 between the Plateforme pro-government militia and Tuareg separatists (the Co-ordination of Azawad Movements - CMA), and had lasted three days. This violence breached the accord signed in June.<sup>16</sup> The clash appeared to signal the re-emergence of a centuries-old rivalry between Tuareg clans,<sup>17</sup> with Tuareg warlords from opposing clans fighting under the banners of Plateforme and CMA respectively. It was reported on 17 September 2015 that fighting between CMA and Plateforme had erupted near the border with Algeria, leaving at least 15 dead.<sup>18</sup> However, it was reported on 13 October 2015 that two rival Tuareg clans in northern Mali, the Ifoghas and Inghad clans, had agreed to end their decades-old feud. The Inghads had led the Plateforme pro-government militia, while the Ifoghas clan had allied themselves with the separatists.<sup>19</sup>

4.2.6 Reuters noted in August 2015 that the French military operation, since 2013, had 'scattered the Islamists but failed to eradicate them, and Islamist violence is once more on the rise, spreading further south.'<sup>20</sup> On 19 August 2015 Reuters reported on the emergence of a new ethnic-Fulani Islamist militant group called the Massina Liberation Front (Front de Libération du Macina – FLM), which had recently carried out several killings in the central Mopti region and was 'shifting Mali's three-year-old Islamist conflict from the remote desert north ever closer to its populous south.'<sup>21</sup> The Jamestown Foundation, in a report of 13 November 2015, listed attacks that had been carried out by the FLM between April and October 2015, most of them in the central Mopti region.<sup>22</sup>

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<sup>15</sup> UN Security Council: Report of the Secretary General on the Situation in Mali S/2015/723, 22 September 2015 [http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2015\\_732.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_732.pdf), date accessed 30 November 2015

<sup>16</sup> Associated Press (via News 24): 'Millions going hungry in Mali', 19 August 2015 <http://www.news24.com/Africa/News/Millions-going-hungry-in-Mali-20150819>, accessed 27 September 2015

<sup>17</sup> Reuters: 'Insight - Clan warfare trumps diplomacy in Mali's fragile north', 31 August 2015 <http://uk.reuters.com/article/2015/08/31/us-mali-violence-militia-insight-idUKKCN0QZ0WC20150831>, date accessed 27 September 2015

<sup>18</sup> Reuters, 'Mali militias clash near Algerian border, killing at least 15', 17 September 2015 <http://uk.reuters.com/article/2015/09/17/uk-mali-violence-idUKKCN0RH33S20150917> date accessed 27 September 2015

<sup>19</sup> News 24, 'Tuareg clans at heart of Mali conflict end feud', 13 October 2015, <http://www.news24.com/Africa/News/Tuareg-clans-at-heart-of-Mali-conflict-end-feud-20151013> date accessed 23 November 2015

<sup>20</sup> Reuters: 'Mali separatists reject U.N. exclusion zone around northern towns', 19 August 2015 <http://uk.reuters.com/article/2015/08/19/uk-mali-violence-idUKKCN0QO26920150819>, date accessed 27 September 2015

<sup>21</sup> Reuters, 'Mali's Islamist conflict spreads as new militant group emerges', 19 August 2015 <http://uk.reuters.com/article/2015/08/19/uk-mali-violence-idUKKCN0QO19520150819>, date accessed 27 September 2015

<sup>22</sup> The Jamestown Foundation "The Sahel's Militant 'Melting Pot': Hamadou Kouffas Macina Liberation Front (FLM);" Terrorism Monitor Volume:13 November 2015,

- 4.2.7 On 10 August 2015 it was reported that the al Qaeda-linked group al-Mourabitoun had claimed responsibility for a hotel siege in Severe in Mopti region in which 17 people died. The dead included 9 civilians, 5 of whom worked for the U.N. mission in Mali (MINUSMA).<sup>23</sup> On 20 November 2015, Islamist militants killed 19 people in an attack on the luxury Radisson Blu Hotel in Bamako, the country's capital. Malian special forces stormed the building and rescued 170 people, many of them foreigners.<sup>24</sup> As of 23 November three different groups, the Massina Liberation Front, Al Mourabitoun and al Qaeda in the Islamic Maghreb (AQIM), had claimed responsibility for the attack.<sup>25</sup> Following this, Amnesty International noted in a press release 'the total disregard for civilians that is characterising the growing violence and unrest in the country.'<sup>26</sup>
- 4.2.8 According to the Human Rights Watch of April 2015 there have been several killings of alleged informants by Islamist armed groups in northern Mali. 'The human rights section of MINUSMA documented over 10 such killings in 2014 ... [C]redible sources reported that on March 19, 2015, in the Timbuktu region, Al-Qaeda in the Islamic Mahgreb (AQIM) killed and then decapitated an ethnic Tuareg man accused of collaborating with French forces.'<sup>27</sup>
- 4.2.9 Further reporting of recent developments in Mali can be found on the Reuters website at <http://uk.reuters.com/search/news?blob=Mali> and on the UN Office for the Coordination of Humanitarian Affairs (OCHA) 'Reliefweb' site at <http://reliefweb.int/country/mli>

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## 5. Internally displaced persons (IDPs) and the humanitarian situation in northern Mali

- 5.1 According to the US Department of State 2014 Human Rights Report (USSD 2014):

'The Commission on Population Movement, led by the International Organization for Migration, estimated the country had 101,300 IDPs as of August 31 [2014], a decline of two-thirds from the previous year ...

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[http://www.jamestown.org/programs/tm/single/?tx\\_ttnews\[tt\\_news\]=44593&cHash=8b46b953b2373675d248929a39f8264b#.VlshX-lhJvk](http://www.jamestown.org/programs/tm/single/?tx_ttnews[tt_news]=44593&cHash=8b46b953b2373675d248929a39f8264b#.VlshX-lhJvk); 22 date accessed 30 November 2015

<sup>23</sup> Reuters, 'Group linked to al Qaeda says responsible for Mali siege - al Jazeera', 10 August 2015 <http://uk.reuters.com/article/2015/08/10/uk-mali-violence-idUKKCN0QF1SM20150810>, date accessed 27 September 2015

<sup>24</sup> Reuters, 'Update: 10-Islamist militants kill 19 in attack on hotel in Mali's capital', 21 November 2015 <http://uk.reuters.com/article/2015/11/21/mali-attacks-idUKL8N13F14E20151121>, date accessed 23 November 2015

<sup>25</sup> Reuters, 'Mali deepens probe into deadly attack on luxury hotel', 23 November 2015 [http://uk.reuters.com/article/2015/11/23/us-mali-attacks-idUKKBN\\_OTB0ZF20151123](http://uk.reuters.com/article/2015/11/23/us-mali-attacks-idUKKBN_OTB0ZF20151123), date accessed 23 November 2015

<sup>26</sup> Amnesty International: Mali: Armed group's horrific siege of international hotel shows utter disregard for human life, 20 November 2015 <https://www.amnesty.org/en/latest/news/2015/11/mail-hotel-siege/>,

<sup>27</sup> Human Rights Watch: 'Mali: Lawlessness, Abuses Imperil Population', 14 April 2015 <https://www.hrw.org/news/2015/04/14/mali-lawlessness-abuses-imperil-population>, date accessed 27 September 2015.

Humanitarian access in the northern regions generally improved following the French intervention, although insecurity related to the presence of rebels and terrorist groups in some areas remained a challenge.

'The Ministry of Internal Security and Civil Protection registered IDPs, and the government provided assistance. IDPs generally lived with relatives, friends, or in rented accommodations. Most IDPs resided in urban areas and had access to food, water, and other forms of assistance. As many as half of all displaced families lacked official identity documents that were often needed to facilitate access to public services, including schools for children, although identification was not required for humanitarian assistance. Aid groups provided humanitarian assistance to IDPs residing in the south and in the north, as access permitted. Perceptions of improved security in the north resulted in the return of an estimated 361,836 persons to the regions of Gao, Kidal, Timbuktu, and Mopti as of August 31[2014].<sup>28</sup>

- 5.2 UNHCR estimated in May 2015 that there were still just over 100,000 IDPs in Mali, mainly in the northern part of the country.<sup>29</sup> The World Food Programme (WFP) was providing immediate food assistance to the IDPs and returnees in Mali under a 'protracted relief and recovery operation', and was also assisting some 134,000 Malian refugees in the neighbouring countries of Mauritania, Niger and Burkina Faso.<sup>30</sup>
- 5.3 Associated Press, on 19 August 2015, quoted a United Nations humanitarian co-ordinator in reporting: 'More than 3 million people [in Mali] are suffering from hunger as insecurity persists in Mali's north... Food insecurity also means more than 715 000 children are at risk of acute malnutrition ... Additionally, there are significant needs for protection and access to basic services such as education and health...'<sup>31</sup> IRIN News noted on 4 September 2015, 'The majority [of those facing food insecurity] live in the north, where forced displacement, collapsed markets and limited humanitarian access to deliver food aid have created these conditions ... To make matters worse, more than 54,000 people in northern Mali don't have adequate access to drinking water, OCHA reports.'<sup>32</sup>
- 5.4 The UN Security Council Secretary General reported on 12 November 2015 that 'Communities in northern Mali remained in a very precarious situation for

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<sup>28</sup> US Department of State: Country Reports on Human Rights Practices for 2014 – Mali, published 26 June 2015 (section 2d)

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dclid=236380#wrapper> date accessed 27 September 2015

<sup>29</sup> UNHCR: 'Fighting in northern Mali forces thousands to flee their homes', 29 May 2015

<http://www.unhcr.org/55685b876.html> date accessed 27 September 2015

<sup>30</sup> World Food Programme: Mali Regional Crisis Situation Report No.6, 4 September 2015

<http://reliefweb.int/report/mali/mali-regional-crisis-situation-report-6-4-september-2015> (download pdf)

<sup>31</sup> Associated Press (via News 24): 'Millions going hungry in Mali', 19 August 2015

<http://www.news24.com/Africa/News/Millions-going-hungry-in-Mali-20150819> date accessed 27 September 2015

<sup>32</sup> IRIN Integrated Regional Information Network: 'Life still hard in northern Mali, despite peace deal', 4 September 2015 <http://www.irinnews.org/report/101959/life-still-hard-in-northern-mali-despite-peace-deal>, accessed 30 November 2015

the third consecutive year, with bleak prospects for refugee returns or improvement in public services.<sup>33</sup>

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## 6. Rule of law

- 6.1 Even prior to January 2012, the power and willingness of the central government in Mali to maintain law and order in the northern regions of the country were limited. A report published by the Norwegian Peacebuilding Resource Centre in January 2015 recorded:
- ‘Bamako had sought to manage the situation in the north in the years preceding 2012 through betting on local rivalries and manipulating “loyal elements”, with the primary goal being to contain the Tuaregs. This strategic bet assumed that illicit economies crossing the north that were tolerated and even selectively encouraged by the [central government] would help structure a stable clientelist system oiled by the extraction of wealth from drug smuggling.’<sup>34</sup>
- 6.2 As observed by the American Bar Association: ‘The crisis in Mali led to a rapid deterioration in human rights situation, with reports of human rights abuses committed by rebel groups and the Malian army. These violations exacerbated inter-community divisions and further undermined respect for the rule of law.’<sup>35</sup> Human Rights Watch, in a report dated 14 April 2015, gave further detailed information on abuses that had been committed by the insurgents and the Army, and the ‘unchecked criminality’ and banditry prevailing in northern Mali.<sup>36</sup>
- 6.3 IRIN News noted in August 2015, ‘Throughout northern Mali, basic social services and government institutions have yet to be restored and are unlikely to resume as long as the fighting continues.’<sup>37</sup> Human Rights Watch commented in a report of 29 January 2015 that, following resummptions of hostilities in the past (as in May 2014), civil servants and soldiers had withdrawn from key towns in the north, resulting in a rise in ethnic tension and large swaths of territory left devoid of state authority. But it was noted in the same report that ‘[D]uring 2014, there was progress in re-establishing the

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<sup>33</sup> UN Security Council Report of the Secretary-General “Progress towards the United Nations Integrated Strategy for the Sahel” S/2015/866 12 November 2015

[http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2015/866](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/866) date accessed 30 November 2015

<sup>34</sup> Norwegian Peacebuilding Resource Centre: Francesco Strazzari: ‘Azawad and the rights of passage: the role of illicit trade in the logic of armed group formation in northern Mali’, January 2015 [http://www.clingendael.nl/sites/default/files/Strazzari\\_NOREF\\_Clingendael\\_Mali\\_Azawad\\_Dec2014.pdf](http://www.clingendael.nl/sites/default/files/Strazzari_NOREF_Clingendael_Mali_Azawad_Dec2014.pdf), date accessed 27 September 2015

<sup>35</sup> American Bar Association: ‘Mali Programs: Access to Justice and Human Rights’, undated [http://www.americanbar.org/advocacy/rule\\_of\\_law/where\\_we\\_work/africa/mali/programs.html#access\\_justice](http://www.americanbar.org/advocacy/rule_of_law/where_we_work/africa/mali/programs.html#access_justice) date accessed 27 September 2015

<sup>36</sup> Human Rights Watch: ‘Mali: Lawlessness, Abuses Imperil Population’, 14 April 2015 <https://www.hrw.org/news/2015/04/14/mali-lawlessness-abuses-imperil-population>, date accessed 27 September 2015

<sup>37</sup> Reliefweb: IRIN: ‘What peace deal? No end to Mali conflict’, 19 August 2015 <http://reliefweb.int/report/mali/what-peace-deal-no-end-mali-conflict>, accessed 27 September 2015

judiciary in Timbuktu and Gao regions, evident in the rehabilitation of local courthouses and jails and redeployment of prosecutors, judges, and judicial police who had fled during the armed conflict. However, their ability to conduct investigations outside major towns was limited by the precarious security situation.<sup>38</sup> The Secretary General of the UN Security Council confirmed in September 2015 that, while persistent security concerns prevented the full redeployment of civil servants to the northern regions, the majority of government prefects had resumed their duties in the regions of Gao, Mopti and Timbuktu; 88 per cent of judges and prosecutors had returned to their posts in northern Mali, although some of the magistrates did not maintain a continuous presence owing to security concerns.<sup>39</sup>

6.5 With reference to the situation in northern Mali during 2014 (prior to the latest ceasefire agreement), the USSD 2014 Report stated:

'Members of the [Malian] military committed serious human rights abuses, including summary executions, as well as torture, abuse, and forced disappearance of civilians.

'Most military abuses targeted Tuareg and ethnic Arab rebels and were in reprisal for attacks by those groups.

'Elements within rebel [separatist] movements [such as the MNLA]...and nongovernmental pro-government forces...committed serious human rights abuses, including summary execution, sexual violence, torture, and use of child soldiers. Extremist [Islamist] groups...killed civilians and military forces including peacekeepers. The government, in collaboration with French military forces, conducted counterterrorism operations in the north leading to the detention of extremists and armed group elements accused of committing crimes. While making arrests the government identified recruited child soldiers and had mechanisms in place to transfer child soldiers to the care of concerned international organizations for reunification with their families.

'The government also released some terrorist elements accused of serious crimes without due process during the prisoner releases aimed at supporting the peace process.<sup>40</sup>

6.6 The AFP (Agence France-Presse) news agency reported on 25 September 2015:

'Three months after the implementation of a peace deal to end decades of conflict in northern Mali, stability remains an elusive dream undermined by tribal rivalries and internecine power struggles.

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<sup>38</sup> Human Rights Watch: World Report 2015 – Mali (events of 2014), 29 January 2015, <http://www.refworld.org/docid/54cf83935a.html> date accessed 27 September 2015

<sup>39</sup> UN Security Council Report of the Secretary General on the Situation in Mali S/2015/723, 22 September 2015 [http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2015\\_732.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_732.pdf), date accessed 23 November 2015

<sup>40</sup> US Department of State: Country Reports on Human Rights Practices for 2014 – Mali, published 26 June 2015 <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236380#wrapper> date accessed 27 September 2015

'Underlining the turmoil, the government this week announced the indefinite postponement of local elections, pointing to poor security, the absence of government in several areas and a lack of progress on refugee returns.

'Divided into rival armed factions, plagued by drug trafficking and at the mercy of jihadism, Mali's desert north has struggled for stability since the west African nation gained independence in 1960.'<sup>41</sup>

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## 7. Children

- 7.1 The USSD 2014 Report stated that 'The armed group alliance of the MNLA, HCUA, and MAA, as well as progovernment militias...used child soldiers during the year.' The report noted that government and French troops, when conducting counterterrorism operations in the north, identified child soldiers that had been recruited by the militia groups and had mechanisms in place to transfer these children to the care of international organisations for reunification with their families.<sup>42</sup>
- 7.2 In his report of September 2015 the Secretary General of the UN Security Council recorded that the United Nations had verified the presence of 12 child soldiers among armed groups and extremist groups during the three-month reporting period. In the same period, at least 3 children were killed and 10 injured in incidents involving unexploded ordnances. A total of 8 children remained detained, some since 2013, by the Malian authorities for alleged association with armed groups.<sup>43</sup> According to the Human Rights Watch report of April 2015, 'Several people said older combatants hid the presence of children in their ranks from international aid groups and the UN.'<sup>44</sup>
- 7.3 As stated in Section 5 above, 715 000 children in Mali were at risk of acute malnutrition by mid-2015.<sup>45</sup>

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## 8. Freedom of movement

- 8.1 The USSD 2014 Report stated:

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<sup>41</sup> AFP: 'Spoils of peace undermining stability in Mali', 25 September 2015 <http://news.yahoo.com/spoils-peace-undermining-stability-mali-091655996.html> (via Yahoo News), date accessed 27 September 2015

<sup>42</sup> US Department of State: Country Reports on Human Rights Practices for 2014 – Mali, published 26 June 2015

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dclid=236380#wrapper> date accessed 27 September 2015

<sup>43</sup> UN Security Council Report of the Secretary General on the Situation in Mali S/2015/723, 22 September 2015 [http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2015\\_732.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_732.pdf), date accessed 23 November 2015

<sup>44</sup> Human Rights Watch: 'Mali: Lawlessness, Abuses Imperil Population', 14 April 2015 <https://www.hrw.org/news/2015/04/14/mali-lawlessness-abuses-imperil-population>, date accessed 27 September 2015

<sup>45</sup> Associated Press (via News 24): 'Millions going hungry in Mali', 19 August 2015 <http://www.news24.com/Africa/News/Millions-going-hungry-in-Mali-20150819> date accessed 27 September 2015



'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>46</sup>

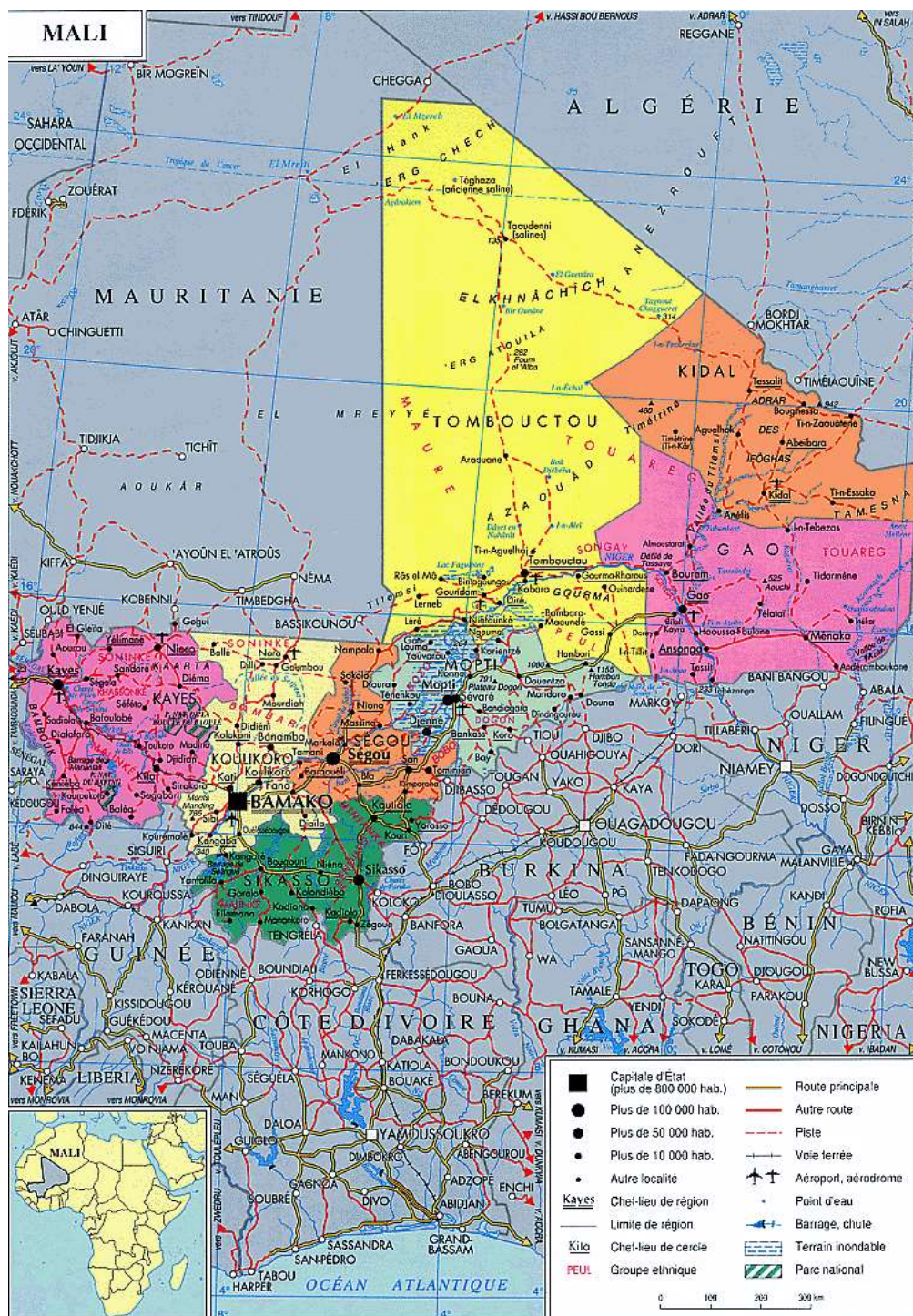
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<sup>46</sup> US Department of State: Country Reports on Human Rights Practices for 2014 – Mali, published 26 June 2015 (section 2d)  
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236380#wrapper>,  
date accessed 27 September 2015

## 9. Maps

### 9.1 Administrative map of Mali 47:



47 ReliefWeb: Map of Mali [ID 22874] Original title: Reference map of Mali (Government of France), February 2006 (via Ecoi.net)  
[http://www.ecoi.net/index.php?countrychooser\\_country=189679::mali&command=showcountryhome&doctype=5&next=25](http://www.ecoi.net/index.php?countrychooser_country=189679::mali&command=showcountryhome&doctype=5&next=25), date accessed 27 September 2015

- 9.2 Map of the area referred to by separatists as 'Azawad'. Azawad roughly comprises the regions/provinces of Tombouctou, Kidal, Gao and part of Mopti, including the cities of Kidal, Gao and Timbuktu:



- 9.3 Several situational maps are available on the European Country of Origin Information Network (ecoi.net) website at [http://www.ecoi.net/index.php?countrychooser\\_country=189679::mali&command=showcountryhome&doctype=5&next=1](http://www.ecoi.net/index.php?countrychooser_country=189679::mali&command=showcountryhome&doctype=5&next=1)

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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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