

Immigration and Refugee Board of Canada

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Responses to Information Requests

Responses to Information Requests ([RIR](#)) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French [RIRs](#). Earlier [RIRs](#) may be found on the [UNHCR's Refworld](#) website.

7 April 2014

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Mali: Information on the treatment of members of the Tuareg ethnic group by authorities and society (2013-March 2014)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Overview

Several sources indicate that the Tuareg are a Berber ethnic group that inhabits parts of Algeria, Mali, Burkina Faso, Niger, Libya (NPR 23 Jan. 2013; Asfura-Heim May 2013, 3; Ilahiane 2006, 133). The *Historical Dictionary of the Berbers* by Hsain Ilahiane, states that the Tuareg are also found in the cities of El Fasher and Darfur in Sudan, and Kano and Katsina in northern Nigeria, as well as "overseas" (ibid.). Estimates of the global Tuareg population ranges between 1.2 to over 3.5 million in total (ibid.; Cline 2013, 617; Asfura-Heim May 2013, 3). The Tuareg are mostly concentrated in northern Mali where they represent about 10 percent of the country's population (ibid.; Cline 2013, 617). Mali's total population is estimated at 16,455,903 as of July 2014 (US 19 Mar. 2014). Sources point out that the Tuareg do not refer to themselves as such, but as *imushagh* [or imuhag] meaning "the people who speak Tamasheq [or Tamahak]" (Lecocq 2010, 2; Ilahiane 2006, 133).

Sources indicate that the Tuareg are divided into politically autonomous confederations, which in turn are divided into clans (Ilahiane 2006, 134; Asfura-Heim May 2013, 4). Tuareg confederations in Mali, Algeria, Niger, Nigeria and Burkina Faso include:

- Kel Ahaggar, Kel Aïr, Kel Ajjer, Kel Ataram, Kel Dennek [or Dinnik], Kel Gress, Kel Tademaket (Ilahiane 2006, 75-77).
- Tuaregs of the Niger Valley (Asfura-Heim May 2013, 4).
- Kel Adagh, Tuaregs of Damergou and the Southeast (ibid.).
- Kel Adrar (Ilahiane 2006, 75).

Sources further indicate that Tuareg clans are very hierarchical (Asfura-Heim May 2013, 4; Ilahiane 2006, 134). According to

sources, the Tuareg people are divided into castes (Cline 2013, 617; Lecocq 2010, 4). According to *The Historical Dictionary of the Berbers*, the "basic division" of clans includes "nobles, vassals, servants, and slaves" (Ilahiane 2006, 134). Similarly, the *Encyclopaedia Britannica* describes Tuareg societal roles ranging from nobles, to clergy, "vassals" and artisans, and finally, labourers, who were formerly known as slaves (n.d.). Sources indicate that the Bellahs [also Bellas] [who are dark-skinned members of Tuareg society (US 28 Feb. 2014, 22; *The Guardian* 6 July 2012)], are considered the descendants of Tuareg slaves (ibid.; UN 10 Jan. 2014, para. 63). Sources report that despite slavery being outlawed in 1960s in Mali, as many as 200,000 descendants of slaves are current living under "hereditary enslavement" (*The Guardian* 23 Oct. 2012; *USA Today* 15 Feb. 2013). *USA Today* reports that these 200,000 are Bellah (ibid.).

Sources indicate that since the Mali's independence in 1960, several Tuareg rebellions have been launched: in the 1960s, the 1990s, and again in 2006 (NOREF Mar. 2013, 2; Cline 2013, 619-621). The rebellions were each met with short term cease-fire agreements (ibid., 617; Keenan 1 Dec. 2013). In late 2011, the National Movement for the Liberation of Azawad (Mouvement nationale pour la liberation de l'Azawad, MNLA) was formed by several Tuareg factions and launched a rebellion against the Malian government in January 2012 (Asfura-Heim May 2013, 6-7; Cline 2013, 621, 626). The objective of the MNLA is to have an independent state, the Azawad, for the Tuareg in northern Mali (ibid., 621; Al Jazeera 17 Jan. 2013). Sources indicate that a "minority" of Tuaregs support the MNLA (Mali 3 Apr. 2014; Asfura-Heim May 2013, 2). In correspondence sent to the Research Directorate, a representative of the National Commission of Human Rights (Commission nationale des droits de l'homme, CNDH), a governmental organization that [translation] "promotes and protects human rights in Mali" (Mali n.d.), indicated that not all the Tuareg are not involved in the current conflict in Mali, but only "a small civil-military group that was originally formed in Libya and wishes to achieve independence" (ibid. 3 Apr. 2014). In a report on the Tuareg in Mali produced by the US Center for Naval Analysis (CNA), a "federally funded research and development center serving the Department of the Navy and other defense agencies" (CNA n.d.a), Patricio Asfura-Heim, an attorney and CNA senior research scientist and project manager whose work focuses on the Middle East, North Africa and South Asia (ibid. n.d.b), indicates that the MNLA is "is blamed by many for the poor circumstances in which [the Tuareg] now find themselves" (Asfura-Heim May 2013, 2). Sources indicate that negotiations between the MNLA and the Malian government are delayed, as of March 2014 (Reuters 25 Mar. 2014; All Africa 25 Mar. 2014).

2. Treatment by Government Authorities

The CNDH representative stated that the government has [translation] "a good attitude" towards the Tuareg and that they are considered "full Malian citizens" (Mali 3 Apr. 2014). The representative also stated that "the human rights of both the Tuareg and all Malian citizens are protected by the state" (ibid.). Without providing details, the representative expressed the view that the protections offered by the state to the Tuareg are "effective" (ibid.).

In contrast, according to Asfura-Heim, the Tuareg "have had poor relationships with state governments [and] they claim that they have been systematically marginalized, both politically and economically" (May 2013, 2). Sources report that the Tuareg have been victims of abuses such as summary executions, enforced disappearances, and torture reportedly perpetrated by Malian security forces (Human Rights Watch 2014, 144; UN 10 Jan. 2014, para. 41). A 2014 UN report produced by the Independent Expert on the situation of human rights in Mali further indicates that the Malian armed forces commit [translation] "rape, pillaging, arbitrary arrests and detentions, torture, and cruel, inhuman and degrading treatment" against the Tuareg and other communities in northern Mali (ibid.). Human Rights Watch reports of an incident in May 2013, in which soldiers "repeatedly made death threats and used racial slurs, and on occasions paraded, abused, and humiliated [Tuaregs or Bellahs] in front of the local population" (7 June 2013). In correspondence with the Research Directorate, a professor at Ghent University in Belgium, who researches the culture, politics and history of the contemporary Sahara, indicated that "undisciplined army soldiers attack Tuareg and Arab populations," and in some instances, these attacks constitute a "deliberate tactic" rather than a "lack of discipline" (Professor 27 Mar. 2014). The US Department of State's *Country Reports on Human Rights Practices for 2013* for Mali indicates that the government "failed at times to maintain effective control over the security forces, and

individual units within the security forces committed human rights abuses" (US 28 Feb. 2014, 1).

Sources further indicate that the "war on terror" has affected the Tuareg people (Asfura-Heim May 2013, 5; Keenan 1 Dec. 2013). Asfura-Heim indicates in the CNA report that the governments of the area inhabited by the Tuareg use the "Global War on Terror" to "crack down on ethnic minorities, including the Tuareg" (Asfura-Heim May 2013, 5). In an article published by Good Governance Africa (GGA), a privately funded "research and advocacy organization based in Africa that works to improve government performance on the continent" (GGA n.d.), Jeremy H. Keenan, a professor of anthropology and sociology at the University of London who focuses his research on the Sahara/Sahel region, also indicates that the "war on terror" has been used by governments in traditional Tuareg territory to "increase their repression of legitimate political opposition movements, particularly the Tuareg, who are generally perceived as being opposed to central governments and therefore 'troublesome'" (Keenan 1 Dec. 2013). In a report on the Tuareg and the Mali conflict written for the Centre for Military Relations in the US, and published in the journal *Studies in Conflict and Terrorism*, Lawrence E. Cline states that the conflict in Mali is marked by "multiple armed groups, with multiple competing agendas" (Cline 2013, 617). These groups include local militias, Tuareg rebels and Islamist militants with "varying goals," which have "varying levels of cooperation and conflict" amongst themselves (ibid.). Cline also indicates that, based on media accounts of the conflict, Islamist militants have at times "'hijacked'" the Tuareg independence movement (ibid.).

According to the Professor at Ghent University,

[f]ormally, the Malian government makes a clear distinction between Tuareg and other northern populations as civilians and "rebels" or other militant groups. However, relatively frequent indiscriminate killings by Malian armed forces of what appear to be Tuareg civilians will regularly be justified by the government by declaring victims post hoc rebels or accomplices. (27 Mar. 2014)

Sources also indicate that the Malian army is suspected of torture, summary executions and mistreatment of alleged collaborators of armed rebels (Asfura-Heim May 2013, 8; Human Rights Watch 2014, 144). The *Country Reports 2013* indicates that people suspected of having links to armed rebels were "arbitrarily arrested ... often without evidence or a warrant" (28 Feb. 2014, 6). Human Rights Watch's *World Report 2014* for Mali indicates that Malian soldiers are suspected of committing "at least 26 extrajudicial executions, 11 enforced disappearances, and over 50 cases of torture or ill-treatment" against "suspected Islamists rebels and alleged collaborators" (Human Rights Watch 2014, 144).

Asfura-Heim indicates that "[t]ens of thousands" of Tuareg, including leaders and members of the Malian parliament, have fled the country and sought protection in refugee camps in Mauritania and other countries (Asfura-Heim May 2013, 8). Keenan indicates that around 200,000 Malian Tuareg live in refugee camps in Mauritania, Burkina Faso and Niger (1 Dec. 2013). Corroborating information on Tuareg living in refugee camps could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.1 Instances of Violence Against Tuareg by Government Authorities

Sources report the following instances of violence against the Tuareg by government authorities:

- On 19 February 2013, three Tuareg civilians from the Imrad clan were killed by the army close to the city of Gao in northern Mali (AFP 23 Feb. 2014). A military source said to Agence-France Presse (AFP) that the circumstances of the civilians' death were [translation] "'unclear'" (ibid.).
- On 28 November 2013, five Tuareg civilians were [translation] "gravely injured" and one killed by the armed forces during a demonstration at the Kidal airport by 300 MLNA sympathizers protesting the presence of the Malian prime minister in the

region (UN 10 Jan. 2014, para. 44).

- Between 26 and 28 May 2013, Malian soldiers "severely beat 14 pastoralists, including three children" and stole cows, goats and sheep, according to members of three nomadic camps of Tuareg and Bellah in northern Mali (Human Rights Watch 7 June 2013).
- In April 2013, five Tuareg men suspected of having links to an Islamist group, were injured and captured by government forces (US 28 Feb. 2014, 4). The men died in Bamako Central Prison after they were denied medical treatment (ibid.).

Further information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3. Treatment by Society

The CNDH representative stated that [translation] "there is no discrimination" against the Tuareg (Mali 3 Apr. 2014). The representative pointed out that "some" of them are elected as members of parliament to the National Assembly and that others occupy "positions of responsibility" in ministries such as Foreign Affairs (ibid.). The representative further indicated that there are no problems among the different ethnic groups in Mali (ibid.). However, the *Country Reports 2013* indicates that there is societal discrimination against "black Tamasheqs" who were also subjected to slavery-related practices, especially in northern Mali (28 Feb. 2014, 1, 25).

The Professor indicated that, despite the existence of political and private business deals between Malian political elites and Tuareg elites,

[t]he Malian population in general is relatively hostile to Tuareg, considering them generally to be "foreigners" or "apatrides" (French for non-patriots, traitors of the nations) ... [and that] there is a large number of standardised ethnic stereotypes towards Tuareg held by the population, generally considering them as thieves, slave drivers, racists, lazy and violent. (27 Mar. 2014)

Similarly, Cline quotes a Malian military officer as saying that "'West Africans tend to view the Tuareg as lazy, prone to violence and criminality, opportunistic, ethnically chauvinistic, and unpatriotic'" (Cline 2013).

Sources report that in the 1990s a paramilitary group named Ganda Koy emerged to target the Tuareg (Al Jazeera 17 Jan. 2013; Asfura-Heim May 2013, 8). According to Asfura-Heim, the government-formed Ganda Koy "terrorized" minority communities in northern Mali (ibid.). Al Jazeera reports that the Ganda Koy fought alongside the Malian army against the Tuareg and "have allegedly committed massacres against Tuareg civilians" (17 Jan. 2013). According to the Professor, even though there are "hardly any" of these organized groups currently operating, some villages organize violent "'spontaneous (or less spontaneous) pogroms'" against Tuaregs (27 Mar. 2014). The *Country Reports 2013* indicates that on 11 August 2013, the Tuareg brother of the then minister of culture was killed by vigilantes while he was voting in Lere, near Timbuktu, for his alleged association with the MNLA (28 Feb. 2014, 9). Human Rights Watch reports that authorities captured four members of a "pro-government militia" after they killed two Tuareg shepherds in Gossi (7 June 2013). The UN Independent Expert also reports the [translation] "recent waves of detentions" of people in northern communities, including the Tuareg, by the Malian army under "false" accusations by members of local militias or the population in general (UN 10 Jan. 2014, para. 45).

3.1 Instances of Violence Against Tuareg by Society

On 6 February 2014, 30 Tuareg were killed by armed men from the Peul community near the city of Gao in northern Mali (AFP 7 Feb. 2014; Reuters 7 Feb. 2014). Sources report that it was a retaliatory attack (ibid.; AFP 7 Feb. 2014) for the kidnapping of a member of the Peul community (ibid.). Reuters quotes the Malian minister of defense as saying that "fighting between these two groups happens

frequently" (7 Feb. 2014).

Further instances of violence could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

4. State Response

Country Reports 2013 indicates that "[m]echanisms to investigate and punish abuse and corruption by security forces generally were not effective" (28 Feb. 2014, 6). The UN Independent Expert indicates that abuses committed by armed groups, including the military, are not investigated and that the judicial system [translation] "lacks the capacity and the tools ... to face the diversity and complexity of crimes committed in northern Mali" (UN 10 Jan. 2014, para. 34, 35). Human Rights Watch's report also indicates that the judiciary system presents "unprofessional conduct, corrupt practices, personnel and logistical shortfalls ... and violations of the right to due process" (2014, 146). Among the problems identified by the UN Independent Expert are "insufficient financial and material resources, the relative independence of the judicial system, corruption, elevated costs to access the justice system, the remoteness of jurisdictions, [and] the lack of human rights training" (10 Jan. 2014, para. 35). Human Rights Watch indicates that while Malian authorities investigated few incidents of human rights abuses, "numerous others have not been investigated, and no soldiers implicated in recent abuses have been put on trial" (2014, 145). The UN Independent Expert also indicates that members of the army interfere in judicial procedures carried out against civilians (10 Jan. 2014, para. 46). Corroborating and additional information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: Attempts to contact representatives from the Association malienne des droits de l'homme and a professor at Bayreuth University were unsuccessful within the time constraints of this Response.

Representatives from the Association pour la consolidation de la paix, le développement, la promotion et la protection des droits humains could not provide information within the time constraints of this Response.

A professor at the Department of Anthropology at the University of London could not provide information.

Internet sites, including: Amnesty International; ecoinet; Ethnologue; Factiva; Fédération internationale des ligues des droits de l'homme; *Le Figaro*; Freedom House; Front Line Defenders; *Jeune Afrique*; Maliweb.net; Minority Rights Group International; *Le Monde*; Oxfam; Reporters without Borders; United Nations – Integrated Regional Information Networks, Refworld; Reliefweb, UN Women.

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