Fending for Ourselves:
The Civilian Impact of Mali’s Three-Year Conflict
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This report was researched and co-authored by Heather Sonner, Mali Project Lead with CIVIC, and co-authored and edited by Kyle Dietrich, Senior Program Manager for Africa and Peacekeeping at CIVIC.
Organizational Mission and Vision

Center for Civilians in Conflict (CIVIC) works to enhance the protection of civilians before, during, and after armed conflict. We are advocates who believe no civilian caught in conflict should be ignored, and advisors who provide practical solutions to prevent and respond to civilian harm.

CIVIC’s vision is for military and non-state armed actors to recognize the imperative to prevent civilian harm, protect civilians caught on the battlefield, and make amends for the harm they do cause. To accomplish this, we assess the causes of civilian harm in particular conflicts, craft creative solutions to address that harm, and engage with civilians, governments, militaries, and international and regional institutions to implement these solutions.

We measure our success in the short term by the adoption of new policies and practices that lead to the improved wellbeing of civilians caught in a conflict. In the long term, our goal is to create a new global mindset around robust civilian protection and harm response.

Acknowledgments

This report was researched and co-authored by Heather Sonner, Mali Project Lead with CIVIC, and co-authored and edited by Kyle Dietrich, Senior Program Manager for Africa and Peacekeeping at CIVIC. CIVIC would like to thank the hundreds of Malians that agreed to share their stories during interviews conducted in 2014 and 2015 for this report. Their unique and indispensable perspectives form the foundation of our analysis and inform the recommendations herein. CIVIC would like to thank the Dutch Ministry of Foreign Affairs for the generous support of our research, which made this report possible. CIVIC would also like to thank Christine McCartney for providing editing, translation, and production assistance, Erin Osterhaus for superb copy editing, Caroline Kavit for her design work and preparing the report for publication, and the numerous people that reviewed and provided valuable insight throughout.
## Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>AFISMA</td>
<td>African-led International Support Mission</td>
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<tr>
<td>AQIM</td>
<td>Al-Qaeda in the Islamic Maghreb</td>
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<td>CCTARC</td>
<td>Civilian Casualty Tracking, Analysis, and Response Cell</td>
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<td>CIVIC</td>
<td>Center for Civilians in Conflict</td>
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<tr>
<td>CMA</td>
<td>Coordination des Mouvements de l’Azawad (English: Coordination of Movements of the Azawad, or “Coordination”)</td>
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<tr>
<td>CMFPR</td>
<td>Coordination des Mouvements et Fronts Patriotiques de Résistance</td>
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<td>CPA</td>
<td>Coalition du Peuple pour l’Azawad</td>
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<tr>
<td>DDR</td>
<td>Disarmament, Demobilization, and Reintegration</td>
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<tr>
<td>ERW</td>
<td>Explosive Remnants of War</td>
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<td>FAMA</td>
<td>Forces Armées Maliennes (Malian Armed Forces), also referred to as MDSF, or Malian Defense and Security Forces</td>
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<td>FIDH</td>
<td>Fédération Internationale des Droits de l’Homme</td>
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<tr>
<td>FPR</td>
<td>Forces Patriotiques de Résistance</td>
</tr>
<tr>
<td>GATIA</td>
<td>Groupe Auto-Défense Touareg, Imaghad et Alliés</td>
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<tr>
<td>HCUA</td>
<td>Haut Conseil pour l’Unité de l’Azawad</td>
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<tr>
<td>HRW</td>
<td>Human Rights Watch</td>
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<tr>
<td>IED</td>
<td>Improvised explosive devices</td>
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<tr>
<td>IHL</td>
<td>International Humanitarian Law</td>
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<td>MAA</td>
<td>Mouvement Arabe de l’Azawad (English: Arab Movement of Azawad)</td>
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<tr>
<td>MNLA</td>
<td>Mouvement National pour la Libération de l’Azawad (English: National Movement for the Liberation of Azawad)</td>
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<tr>
<td>MUJWA/MUJAO</td>
<td>Movement for Unity and Jihad in West Africa</td>
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<td>POC</td>
<td>Protection of Civilians</td>
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<tr>
<td>SRSG</td>
<td>Special Representative of the Secretary General (civilian head of a UN Peacekeeping mission)</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
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<td>UNPOL</td>
<td>United Nations Police</td>
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Image by Thomas Martínez.
The Gao Mayor’s office, which was heavily damaged in fighting in the city in February 2013.
EXECUTIVE SUMMARY

“As long as people cannot see the government, they will not be reassured.”

This report presents a locally-informed narrative of the civilian impact of the ongoing conflict in northern Mali and puts forward policy recommendations to help address the desires and expectations that civilians have regarding security and protection issues. A heightened and more nuanced understanding of civilian perspectives will allow all concerned parties to improve protection measures while properly mitigating and responding to incidental harm that results from their operations in the North.

Three years of armed conflict in Mali have left a legacy of civilian harm, widespread fear, and social disintegration. Civilians in the North of the country are left feeling frustrated with the lack of state presence. They are disillusioned by an overall lack of protection and redress by Malian armed forces, the UN peacekeeping mission, and non-state armed groups—all of which claim to be defenders of civilian protection in the North.

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1 CIVIC interview, Gao region, March 2015.
In 2012 the Malian government lost control of more than half of its territory to a network of loosely affiliated armed groups. While an MNLA-led insurgency sought the creation of an independent secular state called Azawad, AQIM-allied militants quickly overtook the MNLA’s cause in favor of creating a fundamental Islamic state intent of imposing strict Sharia law across the North. After nearly a year of brutal control by the armed groups (a period widely referred to as “the occupation”), French-led international forces intervened and were quick to re-take key northern towns in early 2013. Subsequent stabilization efforts entailed the creation of a robust peacekeeping mission (AFISMA, then MINUSMA) in 2013. However, the gains in security were fragile and unevenly distributed. Since early 2015, the ongoing Algiers peace process to end the conflict has stalled, confrontations between armed groups have persisted, and violent attacks against civilians, UN peacekeepers, and Malian forces have spiked.

The underlying causes of the rebellion were longstanding governance and security issues coupled with mistrust and systemic discrimination across regional, ethnic, and racial lines. Northern communities have long complained of alienation, persecution, and abuse by the government, including by State security forces. The 2012 occupation by armed groups further victimized civilians, who were subject to serious human rights violations, displacement, and intimidation. Yet, despite an end to the occupation, many of the underlying grievances remain unresolved and civilians across the North are still being victimized by the ongoing conflict.

Conflict-related civilian harm—loss of life, injury, displacement, disappearance, and destruction of property as a consequence of military, UN, or armed group action during armed conflict—is not systematically tracked in Mali. Civilian perspectives on the causes and consequences of such harm have been relatively undocumentcd. To help fill this gap, between September 2014 and March 2015, Center for Civilians in Conflict (CIVIC) conducted extensive original research, including over 150 interviews with civilians, members of armed groups, government officials, civil society representatives, NGO workers, and MINUSMA officials across Mali. CIVIC’s research found that civilian harm remains a prominent feature of the conflict, and that the underlying drivers of conflict are intensifying. All parties to the conflict need to make significant strategic and operational adjustments to mitigate harm to civilians and increase proactive protection measures.

Since the international intervention allowed the Malian army to begin its return to the North, confrontations with armed groups have increased. Civilians have repeatedly become victims of attacks by Islamist armed groups that target government and UN forces with landmines, rockets, and other explosive remnants of war. Civilians have also been direct targets of forced disappearance by both armed groups and government forces. Some civilians report an increase in ethnically motivated persecution, in particular against Arab and Tuareg Malians. Interviewees commented on a pattern of misconduct by security actors and their proxy militias in which they attack individuals whose backgrounds are different than their own. Sexual violence, armed criminality, and inter-communal tensions have also all increased as a consequence of the continuing conflict.

In light of this, paramount among civilian concerns is the continued absence of sufficient and credible State institutions, security, and protection across the North—an absence that is most pronounced in rural and nomadic grazing areas. While the Malian government has the primary legal responsibility for protecting its citizens, State authority is notably absent in Kidal region and has only a limited presence in many parts of Gao and Timbuktu regions. As a result, armed groups that control territory, such as the MNLA in Kidal region, must provide security and protection for all people in those areas. The current political impasse suggests that there are many unresolved grievances, and that the MNLA and other armed groups may continue to fight for and exercise control in a number northern areas for some time.

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In areas where government and military authorities have begun to redeploy, most civilians expressed little confidence in the State’s capacity to prevent or respond to civilian harm. Victims often fail to seek assistance, believing little will be done or fearing they will be targeted for collaborating with the Malian government or international forces. In fact, civilians expressed concern over increased operations by government-allied militias intended to forcibly re-take the North, which many feel is making circumstances worse for civilians. Absent a signed peace agreement and inclusive consultations with local communities, any aggressive re-taking of northern towns by FAMA, State authorities, or pro-government militias will continue to exacerbate tensions and trigger violent clashes. As such, international support for the re-establishment of government authority in the North must be contingent on the Malian government’s commitment to abide by existing agreements, and the putting in place of measures to mitigate harm to civilians.

The overall weakness of the Malian government in the North leads many civilians to look towards MINUSMA for protection and security. Yet, despite its robust mandate—amended in June 2014 to focus on ensuring security, stabilization, and protection of civilians—the UN mission appears ill-equipped to proactively protect against retaliatory attacks on civilians. Ibrahim, a shop owner from Gao region, summed up a popular sentiment when he noted: “what most frustrates the population is the passivity of MINUSMA peacekeepers.”

Many civilians interviewed feel that recent attacks against MINUSMA have forced the mission into a defensive posture, and have undermined its ability to deal with the broader range of security and protection challenges, including the presence of Islamist extremist groups, transnational criminal networks, and a complex mosaic of warring state and non-state actors.

Indeed, MINUSMA has become the most dangerous UN mission in the world for peacekeepers. UN forces frequently face violent protests, rocket attacks on bases, and targeted attacks with improvised explosive devices. Under-Secretary-General for UN Peacekeeping Operations, Hervé Ladsous recently said of MINUSMA, “No mission has been as costly in terms of blood.” In the same statement, he also highlighted the fact that more than 40 MINUSMA soldiers have been killed, and 109 injured since the mission’s inception in 2013, with the Chadian contingent sustaining a large proportion of these casualties. As MINUSMA becomes increasingly engaged in the conflict, reports of UN assaults against armed groups and incidental harm to civilians during their operations are further diminishing the UN’s standing as a guarantor of civilian protection.

Malian civilians repeatedly expressed their concern that extremist armed groups will continue to foment instability, and could even regain control of some regions of the North. The recent surge in attacks against MINUSMA, and the February 2015 attack on a nightclub in Bamako in particular, reveal that Islamist extremist organizations are regrouping, are operating beyond the northern region, and are willing to target “soft” civilian targets as well as military actors.

Civilians increasingly understand their rights, and they demand that all actors do more to protect them. Despite the heavy toll of three years of conflict on the civilian population and the continued victimization of many communities by armed groups, the vast majority of people interviewed...
denounced violence, embraced the ongoing peace process, and welcomed the gradual return of credible government authority to the North (although many of them considered it was still progressing too slowly).

Maliens also want an end to impunity for abuses by all actors, and increased access to justice—meaning a better understanding of the complaint mechanisms available, and protection for those most at risk. Several interviewees demanded security forces compensate them for past abuses. Meanwhile, others requested the establishment of a mechanism to investigate and respond to abuses resulting from FAMA operations, as well as from counter-insurgency and peacekeeping operations by MINUSMA and French forces. Many civilians feel the UN needs to take the lead in such efforts, given FAMA abuses, intimidation by armed groups and militias, and the lack of government presence in many areas.

Finally, both civilians and representatives from armed groups and militias emphasized the need for an inclusive and effective DDR process to prevent combatants from acting as spoilers to durable peace.
RECOMMENDATIONS

All Parties to the Conflict

All parties to the conflict must:

- Ensure adherence to international legal standards, including human rights and humanitarian law.
- Adopt robust policies, practices, and tools to ensure that all troops understand the strategic, moral, and legal importance of minimizing and properly addressing civilian harm resulting from the conflict. This should include training, enforcement, and sustained leadership from all responsible authorities and decision-makers.

Government of Mali

The Government of Mali should:

Ensure Effective Civilian Protection

- Prioritize the consolidation of state authority and security in the North through peaceful and inclusive means, thereby laying a foundation for strong rule of law, judicial and security sector reform, and a representational and increasingly decentralized government.
- Make every effort to prioritize the protection of civilians—both from their own operations and the attacks of armed groups—in all government and security force policies and operations, both current and future.
- Work with local, traditional, and civil society leadership, including women and youth groups, to ensure an equitable and inclusive engagement with the population as government officials and security forces redeploy to all regions of the North, including isolated rural zones.
- Avert potential clashes and civilian harm by ending all aggressive actions by government forces and pro-government militias to forcibly re-take northern territory.

Deliver an Inclusive Truth, Justice, and Reconciliation Process

- Implement a national strategy of coexistence and fulfill the mandate of a Truth, Justice, and Reconciliation Commission by drawing on best practices from other relevant contexts and responding to calls from civilians to address underlying grievances that have plagued Mali for decades. If done appropriately, through an inclusive and participatory process, this commission will enable Malians to confront a past marked by the “socioeconomic and cultural marginalization of certain regions and communities in the country.” It will also help its citizens address past injustices by all parties to the conflict, and recognize the rights of the victims to justice, reparation, and guarantees of non-recurrence.\(^7\)

Develop Civilian Harm Reporting and Response Procedures for FAMA

- Carry out an expert assessment in order to identify current operational strengths and weaknesses, and recommend the necessary standard operating procedures and training procedures to deal with civilian casualty incidents and allegations. In particular, the expert assessment should (i) identify the best mechanism for ensuring the effective tracking of civilian harm within the context of FAMA’s current information management structures, (ii) draw up a simple and accessible harm mitigation and response plan which can be passed on to commanders in the field for immediate implementation, and (iii) develop practical

step-by-step training that instructs FAMA officers on reporting and responding to alleged civilian harm caused by their operations, which focuses initially on ensuring consistent, timely, and accurate reporting of all alleged civilian harm from field contingents through the chain of command. The establishment of an effective reporting and response mechanism will help FAMA restore community confidence, acknowledge mistakes, and identify best practices for avoiding civilian harm during future operations.

To MINUSMA

The UN has made important strategic and operational changes to prioritize the protection of civilians in peacekeeping operations globally. However, continued leadership by the SRSG and Force Commander is needed in order to effectively champion and implement a proactive protection approach. Furthermore, the UN must develop a standard framework for assessing risk factors and threats to civilians during strategic assessments and use of force contingency planning. There are a number of emerging best practices that could help MINUSMA mitigate harm to civilians.

MINUSMA should:

Strengthen Civilian Casualty Tracking

- While a full civilian casualty tracking, analysis, and response cell (CCTARC) is not currently recommended, MINUSMA should prioritize the recruitment of a Risk (or Harm) Mitigation Advisor—a position which has been created and approved, but not filled to date—reporting to the MINUSMA Force Commander. The adviser would help MINUSMA (i) identify with reliable data the issues of civilian harm attributable to the FAMA, armed non-state groups, and MINUSMA, (ii) engage all parties at a tactical level to reduce civilian harm, and (iii) coordinate MINUSMA’s efforts to mitigate and reduce civilian harm resulting from its own operations.

Deploy Community Liaisons and Strategic Communications

- Given increased tension between communities and UN Peacekeepers, complete the deployment of Community Liaison Assistants (CLAs) who would work with local communities to improve civilian-military communication, and to increase mission awareness and operationalization of protection needs.
- Use strategic communications to improve community understanding of the roles and limits of MINUSMA military engagement and its efforts to protect civilians. Messaging should also address community concerns and confusion around co-location of MINUSMA forces with FAMA, non-UN international military forces, and any possible future cooperation with compliant armed groups.

Ensure Civilian Protection and Harm Mitigation Training

- In addition to ensuring that all peacekeeping forces receive training on international humanitarian law and human rights law before their deployment, all units should also receive advanced scenario-based training on the broader spectrum of proactive protection and civilian harm mitigation. Such scenario-based training should include examples of the practical application of the concepts of distinction and proportionality, as well as relevant operational activities such as crowd control, patrolling, escalation of force, community engagement, and how to appropriately respond to alleged civilian harm.
- Pre- and post-training assessments of current mindset and skill level should be conducted to ensure trainings are appropriate and effective.
- Support the Malian government in the administration and delivery of victim’s assistance mechanisms by conducting investigations and sharing information on civilian harm that results from military operations by FAMA, MINUSMA, and armed groups (building off the Malian compensation law for victims of the 2012 rebellion).
Operation Barkhane

Given the robust role of French Special Forces under Operation Barkhane, French authorities should:

- Develop a dedicated civilian casualty tracking mechanism (similar to the Civilian Casualty Mitigation Team developed by ISAF in Afghanistan).\(^8\)
- Increase operational transparency by routinely releasing credible information on civilian casualties resulting from French military action.
- Set a representative standard by creating robust mechanisms to facilitate investigations and administer post-harm assistance, or amends, for victims and their families that have suffered harm as a result of French operations.

About the Report

This report presents a locally-informed narrative of the civilian impact of the ongoing conflict in northern Mali and puts forward policy recommendations to help address the desires and expectations that civilians have regarding security and protection issues. A heightened and more nuanced understanding of civilian perspectives will allow all concerned parties to improve protection measures while properly mitigating and responding to incidental harm that results from their operations in the North.

About Center for Civilians in Conflict

Center for Civilians in Conflict (CIVIC) works to make warring parties more responsible to civilians before, during, and after armed conflict. We are advocates who believe no civilians should be ignored and advisors who provide practical solutions to prevent and respond to civilian harm.

The organization was founded as Campaign for Innocent Victims in Conflict in 2003 by Marla Ruzicka, a courageous humanitarian killed by a suicide bomber in 2005 while advocating for Iraqi families.