



KILLED, WOUNDED AND FORGOTTEN?

ACCOUNTABILITY FOR THE KILLINGS DURING DEMONSTRATIONS
AND THE COUP IN MALI

Amnesty International is a movement of 10 million people which mobilizes the humanity in everyone and campaign for change so we can all enjoy our human rights.

Our vision is of a world where those in power keep their promises, respect international law and are held to account. We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and individual donations.

We believe that acting in solidarity and compassion with people everywhere can change our societies for the better.

© Amnesty International 2021

Except where otherwise noted, content in this document is licensed under a Creative Commons (attribution, non-commercial, no derivatives, international 4.0) licence.

<https://creativecommons.org/licenses/by-nc-nd/4.0/legalcode>

For more information please visit the permissions page on our website: www.amnesty.org

Where material is attributed to a copyright owner other than Amnesty International this material is not subject to the Creative Commons licence.

First published in 2021

by Amnesty International Ltd

Peter Benenson House, 1 Easton Street

London WC1X 0DW, UK

Index: AFR 37/3748/2021

Original language: English

amnesty.org



Cover photo: A witness who was one of the first persons on the scene after the shooting of Mamadou "Oury" Ba in Commune V on 11 July 2020.

© Private

AMNESTY
INTERNATIONAL



CONTENTS

1. EXECUTIVE SUMMARY	5
2. CONTEXT AND METHODOLOGY	7
2.1. CONTEXT	7
2.2. METHODOLOGY	8
3. LETHAL USE OF FORCE IN SIKASSO AND KAYES	10
3.1. SIKASSO: 1 DEAD, 4 INJURED	10
3.2. KAYES: THREE PERSONS KILLED, ONE WOUNDED	11
4.THE BLOODY REPRESSION OF THE M5-RFP DEMONSTRATIONS IN BAMAKO	14
4.1. 10 JULY, AT THE INDEPENDENCE SQUARE	15
4.2. 11 JULY, IN BADALABOUGOU	17
4.3. 11 JULY, IN COMMUNE VI	22
5.THE 18TH AUGUST FORGOTTEN CASES	26
6. STATE OF PLAY OF JUSTICE FOR VICTIMS	28
7. NATIONAL AND INTERNATIONAL STANDARDS	30
8. RECOMMENDATIONS	33

GLOSSARY

WORD	DESCRIPTION
CCR	Road Traffic Company
CMAS	Coordination of Movements, Friends and Sympathizers Of Imam Mahmoud Dicko
CSREF	Reference Health Centre
ECOWAS	Economic Community of West African States
EMK	Espoir Mali Koura
FORSAT	Special Anti-Terror Forces
FSD	Front for the Salvation of Democracy
GSIM	Group for the Support of Islam and Muslims
M5-RFP	5 th June Movement-Rally of Patriotic Forces
MINUSMA	United Nations Multidimensional Integrated Stabilization Mission in Mali
ORTM	National Radio and TV Broadcast of Mali
RPM	Rally for Mali
SIJ	Judicial Investigations Unit
SOTRAMA	Mali Transportation Company

1. EXECUTIVE SUMMARY

This report investigates the deaths and injuries linked to the lethal use of force by defense and security forces in Mali, during anti-government demonstrations that began in May 2020 and during the coup d'état of 18 August 2020.

During this period, several demonstrations, spontaneous or authorized, occurred in several Malian cities, most particularly in Sikasso (May), Kayes (May) and Bamako (June to August). These demonstrations took place in the backdrop of the contestations of the outcomes of the parliamentary elections, the restrictions to freedom of movement and peaceful assembly enacted by the government in response to the COVID-19 pandemic, and to a host of security and social grievances against the government.

Amnesty International documented several instances of the use of force and firearms by defense and security forces, in these demonstrations, leading to the deaths of at least 18 persons in Sikasso (1) and Kayes (3) in May, and in Bamako in July (14), and dozens of people injured including by shot wounds. Many of the victims of the use of firearms by defence and security forces were hit or wounded in the chest, sometimes on the back, and many were by-standers or people at work or home showing evidence that the security forces did not respect international standards, not shooting in self-defence or in response to an imminent threat of death or serious injury. Amnesty International also strived to search for the identities and faces of the victims, so that they are not forgotten.

Amnesty International can affirm that at least four individuals were killed during the 18 August coup d'état, from gunshots, allegedly fired by members of the security forces, contrary to the affirmations of the transitional authorities. Amnesty International interviewed one relative of a victim, who was wounded following gunshots fired by soldiers in Commune IV, in Bamako and who was treated at Hospital Gabriel Touré before succumbing to his wounds. Amnesty International can confirm also that the Malian Gendarmerie is informed of these deaths and has even initialled some of the death certificates delivered by medical sources.

For the cases of Kayes (May) and Bamako (July), official investigations were opened to ascertain the circumstances in which law enforcement officials used force and firearms, but as of February 2021 these investigations were still at a preliminary stage. As for Sikasso (May), no official investigation was announced and for the events linked to the coup (18 August), no investigations have been conducted officially, and the new authorities have so far stressed that the coup was 'bloodless'.

The fight against impunity has been identified as one of the key priorities by transitional authorities, 2nd pillar (Promoting Good Governance) of their roadmap. Amnesty International is publishing this report as a call to action to contribute to the promotion and defence of human rights in Mali by calling the transitional authorities to take decisive steps to break the cycle of impunity, bringing light to the deaths of demonstrators and passers-by in Bamako, Kayes and Sikasso between May and August 2020. Amnesty International is also calling the transitional authorities in Mali to commit themselves to carry the political will to protect the freedoms of expression and assembly.

Among other recommendations, the organization calls the transitional authorities to:

- Ensure prompt, independent and impartial investigations into the cases of excessive and lethal use of force by law enforcement authorities, in Sikasso on 7 May 2020.
- Expedite the investigations into the circumstances under which a 17-year-old boy was allegedly killed by a police agent in Kayes, and under which at least 14 individuals were killed by the security forces and dozens injured, during the M5-RFP demonstrations of 10-12 July 2020 in Bamako.
- Acknowledge publicly the deaths by gunshots linked to the 18 August coup d'état, and ensure that a prompt, independent, and impartial investigation is conducted to ascertain the circumstances, establish the responsibilities, and provide justice, truth and full reparations to the victims and their families.
- Ensure that all those suspected of criminal responsibility for the casualties linked to the policing of the demonstrations and the coup between May and August 2020 are independently investigated and, if there is sufficient admissible evidence, prosecuted before an ordinary civilian court and in proceedings that conform to international fair trial law and standards, and without the option of death penalty.
- Provide adequate, effective and full reparations, including compensation, restitution, satisfaction and guarantees of non-repetition, to the victims of excessive use of force by the police during the May-August events, including protestors and passers-by who were physically abused or victims of gunshot.
- Protect freedoms of expression and assembly according to international human rights standards.
- Ensure law enforcement authorities respect the UN basic principles on the use of force and firearms by law enforcement officials.

2. CONTEXT AND METHODOLOGY

2.1. CONTEXT

The 2020 demonstrations in Mali were motivated by multiple grievances, including the results of the parliamentary elections, the governmental measures to contain the COVID-19 pandemic and the deterioration of the security situation with the ongoing conflict in the northern and central regions. If Bamako was the main site of the demonstrations, they also took place in Kayes, Sikasso, Yanfolila and Bougouni, beginning in May.¹

After years of delay, the legislative elections were finally scheduled for March and April 2020, following the conclusions of an inclusive national dialogue held in December 2019.² The constitutional terms of the members of the Parliament (MPs) expired in December 2018 but they were extended by law twice, in December 2018 and June 2019, so as to enable the government to “organize these elections in the optimal conditions” given the lack of administrative presence in some of the northern and central regions.³

Yet insecurity remained a defining feature of the electoral campaign ahead of the first round. At least three parliamentary candidates were abducted by gunmen associated with the group calling itself Group for the Support of Islam and Muslims (GSIM) in March; the most noteworthy case being the attack of the campaign convoy of the leader of the opposition, Soumaila Cissé, around Niafounké on 25 March.⁴ On the same day, Mali announced its first two cases of COVID-19⁵. A series of measures to contain the spread of the disease were enacted including a state-wide curfew from 9 pm to 5 am, the ban on gatherings with more than 50 persons, and the closures of all borders except for cargo and freight transport.⁶

Notwithstanding these developments, the run-off was maintained for 19 April. The discrepancy between the provisional results announced by the Ministry for Territorial Administration on 23 April and the results proclaimed by the Constitutional Court sparked legal disputes and contestations around 31 electoral seats. Deciding to cancel the results in several polling centres in these circumscriptions, the ruling of the

¹Studio Tamani. Élections législatives: mouvements de contestation après les résultats définitifs (30 avril 2020) www.studiotamani.org/index.php/themes/politique/23484-elections-legislatives-mouvements-de-contestation-apres-les-resultats-definitifs

² RFI Afrique. Mali: le dialogue national inclusif s'achève sur quatre résolutions (22 December 2019) www.rfi.fr/fr/afrique/20191222-mali-dialogue-national-inclusif-acheve-quatre-resolutions

³ Jeune Afrique avec AFP. Mali : adoption d'un projet de loi prolongeant le mandat des députés jusqu'en 2020 (8 June 2019) : www.jeuneafrique.com/786365/politique/mali-adoption-dun-projet-de-loi-prolongeant-le-mandat-des-deputes-jusqua-2020/. The insecurity and lack of administrative presence in the northern and central regions continued to be an important contextual factor over the year. A MINUSMA report on the situation in Mali stressed that in November 2020, only 9 % of the civil administrators in northern Mali (Kidal, Gao and Timbuktu) and the Mopti region were physically present in their duty stations; this being the lowest figure since September 2015 or earlier.

⁴ Cissé was held hostage for more than six months and released only after a prisoner swap deal brokered by the transitional authorities and the GSIM in October 2020. One French hostage and two Italian ones were also released by the GSIM, while the government released 204 prisoners. Cissé's bodyguard was killed during his abduction on 25 March, and the members of his campaign staff that were abducted with him were released mere days after.

⁵ TV5 Monde. 2019. “Coronavirus: le Mali annonce deux premiers cas de COVID-19 » : <https://information.tv5monde.com/afrique/coronavirus-le-mali-annonce-deux-premiers-cas-de-covid-19-352925>

⁶ Communiqué de the extraordinary session of the National Superior Défense Council of 17 March 2020. Decree n°2020-0170/p-rm du 25 mars 2020 instituant un couvre-feu le Président de la République (Journal officiel du 25 mars 2020), <https://sgg-mali.ml/JO/2020/mali-jo-2020-07-sp.pdf>

Constitutional Court overturned the provisional results proclaimed by the Ministry of Territorial Administration, for 31 seats.⁷ The legal challenges filed by some of the candidates to this Court ruling were rendered moot by a legal decision on 6 May 2020 by the Constitutional Court.⁸

Anti-government demonstrations had already started soon after the ruling, but they reached their peak between June and July 2020, when the M5-RFP, a coalition of civil society organizations formed on 30 May, called for protests in several Malian cities, particularly in Bamako. The movement called for the resignation of the President, the dissolution of the National Assembly and of the Constitutional Court. In July, the M5-RFP calls for civil disobedience and demonstrations led to a hardening of the government's posture towards the increasing contestation.

Between 11-12 July, law enforcement officials from the Police, the Gendarmerie, the National Guard and the FORSAT were deployed to police these demonstrations, which had at time turned violent with the erection of barricades to disrupt the free flow of traffic and the occupation of public buildings, including the National Assembly, the Office of the Prime Minister, and the National Radio and TV Office. During the demonstrations and the days after, law enforcement officials indiscriminately used force and firearms against demonstrators, killing in the instance 14 individuals, including passers-by, and injuring dozens. These demonstrations continued in the following months, ending on 18 August, with the arrest of President Ibrahim Boubacar Keita and several members of his government, by the army, and his forced resignation. During the coup, Amnesty International received information about at least four deaths linked to the use of firearms by alleged members of the military and around 15 injured. A transitional framework was set up in accordance with the discussions held between Malian military actors and the Authority of Heads of State of the Economic Community of West African States (ECOWAS) in September 2020, supposed to last for 18 months and to set up the basis of the refoundation of the state.⁹

In the context of the transition of Mali, where the fight against impunity was identified as one of the action points of the 2nd pillar (Promoting Good Governance) of the roadmap established by the transitional authorities, Amnesty International is publishing this report as a call to action to contribute to the promotion and defence of human rights in Mali and in support of the fight against impunity which denies citizens the right to justice, truth and full reparations.

2.2. METHODOLOGY

As these developments occurred in Mali, and given the scale of allegations of human rights violations, Amnesty International worked to find the circumstances under which the use of force and firearms was exerted by law enforcement officials policing the demonstrations in 2020 in Sikasso, Kayes and Bamako. The organisation also investigated the events during the coup as it received information on killings in contradiction with official statements. Amnesty International also strived to search for the identities and faces of the victims so they are not forgotten. Finally, the organisation analysed the response by the judiciary regarding the allegations of human rights violations.

Due to the constraints by COVID-19 and the closures of Mali's borders with ECOWAS countries following the 18 August regime change, Amnesty International conducted most of interviews remotely by phone. In November 2020, a consultant was hired to conduct in Bamako, complementary interviews in relation to the cases of lethal use of force documented by the organization. Some of the interviewees' names were changed to guarantee their anonymity and protect them from potential reprisals. In total, 59 interviews were conducted between May 2020 and February 2021 with respondents in Kayes, Bamako and Sikasso. They included victims of human rights violations and/or their relatives, civil society members including members of the M5-RFP, journalists who were documenting or were present when some of the incidents occurred, members of the medical personnel that attended victims, local elected officials, and with members of the judiciary, and senior officials.

⁷ République du Mali. Cour constitutionnelle. Arrêt no 2020-04/CC-EL du 30 avril 2020 portant proclamation des résultats définitifs du deuxième tour de l'élection des députés à l'Assemblée nationale (scrutin du 19 avril 2020).

⁸ République du Mali. Cour Constitutionnelle. Délibération no 2020-02/CC-EL du 6 mai 2020 portant sur les demandes de rectification de l'arrêt no 2020-04/CC-EL du 30 avril 2020, www.courconstitutionnelle.ml/wp-content/uploads/2020/05/divers_2020-d%C3%A9liberation-02.pdf

⁹ République du Mali. Décret N°2020-0072/PT-RM du 1^{er} octobre 2020 portant promulgation de la charte de la transition. <https://sgg-mali.ml/JO/2020/mali-jo-2020-24.pdf> (page 940)

These primary sources were also complemented by the analysis of secondary documents published by governmental departments in response to human rights issues, the M5-RFP and other civil society organizations, the Economic Community of West African States, and also by the United Nations, in particular the UN Integrated and Stabilization Mission in Mali (MINUSMA). On 3 March 2021, a letter was addressed by Amnesty International to Malian authorities, presenting the conclusions of this report and asking them questions about the state of the investigations and other issues highlighted in this report. No response to these queries was provided by the Malian authorities at the moment of this report's publication.

3. LETHAL USE OF FORCE IN SIKASSO AND KAYES

3.1. SIKASSO: 1 DEAD, 4 INJURED

Spontaneous demonstrations erupted in Sikasso immediately after the proclamation on 6 May by the Constitutional Court of the official results of the legislative elections which took place on 30 April.¹⁰ Along with several districts where the provisional results were overturned by the Constitutional Court, demonstrators took the street to protest against the results announced by the judicial body. Witnesses and media professionals interviewed by Amnesty International, indicated that the supporters of the defeated list, erected barricades within the city in protest, and disrupted the circulation of vehicles on the national road 7 linking the city to Bamako, but also to neighbouring Côte d'Ivoire.¹¹ The day after, on May 7, security forces, including additional elements deployed from Bamako, intervened to restore the traffic.

A witness of the 7 May clashes between the security forces and demonstrators told Amnesty International:

“On 7 May, the police and the National Guard were deployed to lift the blockade of the national road. They succeeded in lifting the blockade, but the situation was also tense within the city, where there were clashes between demonstrators and the police. I was in downtown when the demonstrations surprised me there. There were a lot of rumours, that the demonstrators wanted to burn the police stations and the Governorate, and you could see them, between the boulevard de l'OUA and the police station of the 2nd district. The situation soon got out of hand. The security forces fired teargas to disperse the crowd and when it had no effect, they fired live ammunition at them”.¹²

At the end of this confrontation, five of the demonstrators were grievously wounded, one of whom, Abdoulaye Coulibaly, succumbed to his wounds days later.¹³ The Regional Director of Police affirmed in an interview that no shot was fired at the demonstrators,¹⁴ but this affirmation has been contradicted by the testimonies from demonstrators and witnesses collected by Amnesty International, and by MINUSMA's investigations into these incidents.¹⁵ No investigation was undertaken to highlight the circumstances under which law enforcement used firearms against the demonstrators in Sikasso.

¹⁰ Studio Tamani. Élections législatives: mouvements de contestation après les résultats définitifs (30 avril 2020).

www.studiotamani.org/index.php/themes/politique/23484-elections-legislatives-mouvements-de-contestation-apres-les-resultats-definitifs

¹¹ Interviews with Malian journalists covering the demonstrations by phone (Bamako, May 2020). Interview with witness to the police takeover of the barricades on the boulevard de l'OUA on 7 May, February 2021.

¹² Interview with “Samba”, Sikasso resident, who witnessed the demonstrations of 7 May 2021, February 2021 (Sikasso).

¹³ Sikasso : Un manifestant contre l'arrêt de la Cour aux législatives décédé, ce matin: https://www.maliweb.net/police/sikasso-un-manifestant-contre-larret-de-la-cour-aux-legislatives-decede-ce-matin-2875742.html?utm_source=dlvr.it&utm_medium=twitter

¹⁴ Studio Tamani.2019. « Tirs à balles réelles » sur des manifestants à Sikasso : des jeunes accusent, la police dément : <https://www.studiotamani.org/index.php/themes/politique/23526-tirs-a-balles-reelles-sur-des-manifestants-a-sikasso-des-jeunes-accusent-la-police-dement>

¹⁵ MINUSMA. 2020. Rapport sur les violations et atteintes aux droits de l'homme commises dans le cadre des manifestations du 10 au 13 juillet 2020 https://minusma.unmissions.org/sites/default/files/report_10-13_july_demonstration.pdf, page 8.

3.2. KAYES: THREE PERSONS KILLED, ONE WOUNDED

The early days of May 2020 in Kayes were characterized by nightly demonstrations against the nationwide curfew. Anti-curfew demonstrations also took place in Bamako, Mopti, Ségou and Sikasso, where they at times intertwined with the contestations of the results of the legislative elections.¹⁶ Faced with this social pressure, the government decided to ease some of the measures taken to contain the pandemic, including by lifting the nation-wide curfew on 8 May 2020.¹⁷

On 11 May, Seyba Tamboura, a 17-year-old boy was shot to death in Kayes around 9 pm, by an off-duty police officer, while he was stunt driving with his cousin, not far from a bar “Le Cocotier” on the road leading to Sadiola. . After he was manhandled by the police agent, Seyba was fleeing from him when he was shot on the back according to the cousin who was with him during the incident. Mamadou Tamboura, Seyba’s uncle who witnessed the aftermath of the shooting and police intervention at the scene told Amnesty International:

Amadou*¹⁸ was with Seyba when he was killed by the policeman. It was their habit to drive their bikes making stunts, while the other would take pictures and videos. Next to “Le Cocotier”, they were confronted with a policeman, who came to them for unclear reasons. He got hold of Seyba and manhandled him according to Amadou, who witnessed the incident.

When the police officer lost his grip, Seyba jumped a ditch next to the road, to be far from him. He was followed by the policeman which made Seyba panic and decide to run on foot, leaving his bike there. The policeman ran after him but at one point drew his gun and fired. Seyba was hit but kept running for 25 meters before he collapsed near a tree.”¹⁹

According to Mamadou Tamboura, Seyba’s uncle:

“Amadou was not near Seyba’s body at the time even though he followed the scene from a distance and witnessed the gunshot and saw Seyba run and fall. After he approached Seyba, he then realized that he was shot and bleeding. He called Seyba’s brother, “Baba”²⁰, to tell him what had happened and to hurry. When “Baba” arrived at the scene, Seyba was already dead. The bullet entered from his back and exited through his heart. I arrived at the scene a few minutes after “Baba” and Tidiane, his and Seyba’s father. There were around 50 people near the corpse and the officer who had shot at Seyba was being manhandled by the mob. My brother Tidiane was asking the policeman repeatedly: “Why did you kill my son?” to no reply. Someone among the crowd called the police commissioner and a few minutes after he arrived. After a while, more police officers came, and they put the agent who had killed my nephew in a 4x4. We were also brought to the Legion of the Gendarmerie. It was there where the authorities told us that Seyba was confirmed as dead”²¹*

¹⁶ DW. Des tensions sociales embrasent le Mali (8 May 2020) : <https://www.dw.com/fr/des-tensions-sociales-embrasent-le-mali/a-53375377>

¹⁷ Studio Tamani. Covid-19 au Mali : le couvre-feu levé, malgré l’enregistrement de près de 700 cas (9 May 2020) : <https://www.studiotamani.org/index.php/themes/politique/23529-covid-19-au-mali-le-couvre-feu-leve-malgre-l-enregistrement-de-pres-de-700-cas>. The government decided to make mandatory the wearing of masks in public spaces, and to extend the closures of schools until 2 June 2020, after the same meeting. <https://primature.ml/allocation-du-dr-boubou-cisse-premier-ministre-chef-du-gouvernement-suite-au-conseil-national-de-defense-sur-la-pandemie-du-covid-19/>

¹⁸ The individual’s name has been changed purposefully to preserve his anonymity

¹⁹ Interview with Mamadou Tamboura, uncle of Seyba. February 2021 (Kayes)

²⁰ The individual’s name has been changed purposefully to preserve his anonymity.

²¹ Interview with Tidiane and Mamadou Tamboura, respectively father and uncle to Seyba, February 2021 (Kayes)



© Undated photo of Seyba Tamboura on his bike ©Private

The lethal use of force by the police agent was swiftly condemned by authorities and the agent was suspended and placed in detention. The family met with the governor during the night of the incident. In the morning, the governor in a public declaration, said that the police officer at fault for the death of Seyba Tamboura was under arrest, and called the citizens for calm. A high-level delegation of the Ministry of Public Safety and Civil Protection was also sent to Kayes to defuse the tension and assess the situation.

The day after Seyba's death, spontaneous demonstrations, sometimes violent, took place in Kayes. Some of the demonstrators targeted police stations and government buildings. Over the course of these violent demonstrations, police used force to contain the protestors, firing live ammunition at the crowd, leading to the deaths of Kalifa Kané (30 years old) and a 12-year-old boy, Bakary Traoré. Adama Keita was also grievously wounded according to a communiqué by the Office of the Prosecutor in Kayes.²² All of those individuals were killed or wounded by bullets according to medical sources interviewed by Amnesty International.²³

²² Bamada. Communiqué du procureur de la république près le tribunal de grande instance de kayes sur la bavure policière du 11 mai 2020 (13 ay 2020) : <http://bamada.net/communique-du-procureur-de-la-republique-pres-le-tribunal-de-grande-instance-de-kayes-sur-la-bavure-policiere-du-11-mai-2020>

²³ Interviews with hospital staff from Fousseyni Dolo, Kayes (May 2020).



© Members of the Ministerial delegation visiting the families of the victims on 12 May 2020

In a public communiqué, the government called for calm, reassured the population that the agent, “who acted alone and on his own initiative”, was under custody and that an investigation was opened to elucidate the circumstances under which Seyba Tamboura, Kalifa Kané and Bakary Traoré died.²⁴

Seyba Tamboura’ family has not filed a complaint. Although investigations were opened, and several family members and witnesses were interviewed by the judiciary,²⁵ the dossier was still under preliminary examination as of April 2021 and the agent responsible for the death of Tamboura was still detained at the Kayes prison.²⁶

²⁴ Primature (Mali). Communiqué du gouvernement de la république du Mali sur les douloureux évènements de Kayes (12 May 2020) : <https://primature.ml/communique-du-gouvernement-de-la-republique-du-mali-sur-les-douloureux-evenements-de-kayes/>

²⁵ At least three relatives of Tamboura were auditioned in June 2020, as part of the investigation on the circumstances of his death, but they have expressed their dismay at the lack of update since then, and their incomprehension of the legal process, while remaining hopeful that justice and truth will prevail. “We have been a little forgotten since some of us were auditioned by the judge in January and we don’t know the status of the judicial investigation” say an uncle of Tamboura to Amnesty International. Interviews with Mamadou, Tidiane and Siradiou Tamboura (February 2021)

²⁶ Interview with Kayes Public Prosecutor, February 2021 (Kayes).

4. THE BLOODY REPRESSION OF THE M5- RFP DEMONSTRATIONS IN BAMAKO

In Bamako a large wave of contestation against the post-electoral results from the legislative elections, added to the general dissatisfaction with the country's governance led to a series of demonstrations that began early June calling for the President's resignation and the dissolution of the National Assembly and the Constitutional Court.

The Coordination of Movements, Associations and Sympathizers of Imam Dicko (CMAS), Espoir Mali Koura (EMK) of Cheikh Oumar Sissoko and the Front for the Salvation of Democracy (FSD), along with several other civil society organizations called for a first demonstration against the governance of President Ibrahim Boubacar Keita on 5 June, calling for his resignation.²⁷ This first protest and the one that followed on 19 June organized by what was termed as the June 5th Movement Rally of Patriotic Forces (M5-RFP) were both authorized and occurred without violence. Following these protests and under increasing national and regional pressure, the government invited the M5-RFP to negotiate with the parliamentary majority on governance, and to join the Cabinet in a national unity government.²⁸ The Economic Community West African States (ECOWAS) was also involved in defusing the crisis, through a series of meetings with both parties in June and July, supporting the calls for a government of national unity but inviting the Malian authorities to conduct partial elections for the 31 disputed results.

After weeks of impasse during the negotiations with the government, the M5-RFP called for civil disobedience and a 3rd demonstration on 10 July. Although the demonstration was authorized, a heavy police deployment was set up in place by governmental authorities to maintain public order on 10 July.²⁹ The Malian authorities disrupted the access to internet and social media platforms, between 10 and 15 July 2020,³⁰ in blatant violation of the right to freedom of expression. Amnesty International also documented an incident in which a journalist, witnessing police violence on 11 July in Badalabougou, was physically and

²⁷ Soon after the announcement of this planned demonstration, the Constitutional Court in a communiqué reminded the CMAS that "civil disobedience" was unlawful except for the protection of the republican form of the Malian state. Cf. Communiqué, Constitutional Court on 3 June 2020 : <http://www.courconstitutionnelle.ml/wp-content/uploads/2020/06/com-du-03-06-2020.pdf>

²⁸ Daouda Bakary Koné. "Mali: échec de la rencontre entre le président IBK et les partisans de l'imam Dicko", Financial Afrik (5 July) : <https://www.financialafrik.com/2020/07/05/mali-echec-de-la-rencontre-entre-le-president-ibk-et-les-partisans-de-limam-dicko/>

²⁹ According to MINUSMA's report citing a governmental circular, 3900 security agents were mobilized, including members of the National Police, National Guard and Gendarmerie, along with 156 vehicles including 13 anti-riots vehicles and four ambulances: See page 16, https://minusma.unmissions.org/sites/default/files/report_10-13_july_demonstration.pdf

³⁰ Social media restricted in Mali amid protests against president <https://netblocks.org/reports/social-media-restricted-in-mali-amid-protests-against-president-QyKpdX8D>

verbally abused by police forces stationed next to the Cultural Palace Amadou Hampaté Bâ, detained for 30 minutes, and forced to delete pictures he had taken while covering the demonstrations.³¹

The 10 July demonstrations and those that followed on 11 July turned violent at times, and were heavily repressed by the authorities, with defines and security forces firing live rounds at protestors sometimes, hitting people who were far from the scene of the confrontation and causing at least 14 deaths and dozens of injuries. Although some of the demonstrators threw stones at security forces, occupied public buildings and at times, refused to comply with orders given by law enforcement officials, it is clear from the cases detailed here after that most of the killings and serious wounds resulted from the excessive use of force by security forces, of whom several were wounded while maintaining public order according to the Malian government. The investigation launched by the judiciary must shed light on all cases of killings and serious wounds, establish responsibilities and pursue members of security forces suspected of having committed human rights violations.

4.1. 10 JULY, AT THE INDEPENDENCE SQUARE

Similar to the first two demonstrations, the 10 July gathering at the Independence Square started with a communal Friday prayer and was followed by public speeches by leaders of the M5-RFP and other associated civil society members. After this, several demonstrators went to occupy public buildings including the Office of the Prime Minister, the National Assembly, the Malian Office for Radio and TV, the headquarter of the ruling party (RPM) and the office of Karim Keita, the son of the President and member of the National Assembly.

In Commune V witnesses to the occupation of the ORTM told Amnesty International that police officers beat indiscriminately demonstrators within the courtyard and the studio, after they gained access to the premises. Amnesty International couldn't determine whether the police officers called on the demonstrators to evacuate the premises prior to their intervention, and if those demonstrators refused to accede to those demands. Soumaila, one of the participants who went to the demonstration and then to the ORTM told Amnesty International:

"After the march, several protesters went to ORTM to occupy it. I followed them with others to avoid and prevent damage. The protesters were already inside the studio and had taken control of it when I got there. There were many people in the courtyard and a barricade had been erected to control access and infiltration. Several leaders of the M5-RFP were trying to calm down the situation and calling on the demonstrators not to vandalize public and private properties. It was there that FORSAT³² [sic] found us. They quickly took control of the perimeter and started beating people with their batons, including women. When they came near where I was, I could hear them yelling in bamanakan "We are tired of you" "We are going to educate you". They asked me to direct them to the studio and I obeyed. Inside, they beat many of those who were inside. Since I shielded my head with my arms, I was hurt by the beatings, but there were many who were more grievously wounded that day."³³

According to the United Nations, some of the demonstrators ransacked private property, including cars and vehicles, and office furniture (including computers) during the occupation of the TV station. They also tried to force studio attendants, to play the music of Bazoumana Sissoko, which is associated with military takeovers in Mali.³⁴

³¹ Interview with Abdoul Moumini Bocoum, journalist: covering the demonstrations (July 2020).

³² Many interviewees alleged of the presence of the special anti-terror forces (FORSAT) during the repression of the July demonstrations in Bamako, and also in Sikasso. A letter dated 14 July from the Prime Minister Boubou Cissé querying the Minister of Public Safety about the alleged presence of the FORSAT during the demonstrations, seems to corroborate these accounts.

³³ Interview with "Soumaila", demonstrator on 10 July (July 2020).

³⁴ MINUSMA. 2020. Rapport sur les violations et atteintes aux droits de l'homme commises dans le cadre des manifestations du 10 au 13 juillet 2020, Division des droits de l'homme (December) pp. 16-17 :: https://minusma.unmissions.org/sites/default/files/report_10-13_july_demonstration.pdf.



 Photo of Fayçal Cissé, ©Private

Further afar, the occupation of the National Assembly by demonstrators and their forceful eviction from the premises by the security forces took an even darker turn. Fayçal Cissé, a 25-year-old clothes salesman, was the first victim of the use of firearms by law enforcement officials on July 10. He was hit by live ammunition within the premises of the Great Mosque of Bamako, located next to the National Assembly from where security forces, having dislodged the protestors from the building, were firing live bullets at the crowd to disperse them. One of his friends who witnessed the incident told Amnesty International:

“I was in front of my shop, next to the Islamic Radio when I started hearing the gunshots. Fayçal, my roommate, was at the Great Mosque, filling one of these plastic kettles when he was shot in the chest. Everybody started running then and I was seeing the commotion from my shop. After the commotion, me and Fayçal’s brother were looking for him since we knew that he was around the mosque just before the gunshots. While we were trying to ascertain where he was, one of the bystanders told us to look at the Hospital Gabriel Touré since someone was driven there after he was wounded. At 7 pm, we arrived at the Emergency Wing, and I was denied entrance by the doctors. I showed them his picture, just to cross-check with and then one doctor told us that one wounded had succumbed and was at the mortuary. I couldn’t bear to go there, and it was his brother and a friend who went to check. We then realized that it was him.”³⁵

A relative of Fayçal Cissé interviewed attested also that the shots were fired from the National Assembly, by members of the National Guard who were disrupting the throng of protestors who had occupied the public building. The family managed to retrieve the corpse from the mortuary a day after the incident, although they highlighted that they had issues related to administrative forms.³⁶ No autopsy was undertaken to establish the cause of death, but a death certificated established by the Gabriel Touré Hospital, identified the cause of death as “CBV” [sic; assault and battery]. The family did not file a complaint, following the death of Fayçal Cissé but called for justice for the victims and their families. “Justice must be served. Those who caused these deaths must be sanctioned and it’s cruel to lose a 25-year-old one”.³⁷

Ibrahim Traoré, a 16-year-old schoolboy was also shot next to the National Assembly. His brother told the organization:

“On Friday there was no school and Ibrahim was supposed to go to the market, to assist one of our brothers. After the Jumu’ah prayer, he came to collect the keys of my motorbike to go to an elder sister’s house at the Hippodrome not far from Bagadadji, and after his return, he went out with friends. Those same friend came back at around 4 pm with my brother’s blood-soaked clothes to tell me that he was shot twice by the police, in front of the National Assembly, on the thigh and on the underbelly. It was only around 11 pm that we

³⁵ Interview with “Moussa”, friend of Fayçal Cissé and witness to the aftermath of the shooting (Bamako, November 2020).

³⁶ Interview with Aghlay Cissé, uncle of Fayçal Cissé (Bamako: July 2020).

³⁷ Interview with Aghaly Cissé, uncle of Fayçal Cissé (Bamako: November 2020)

collected his death certificate and found his body at the mortuary of the Gabriel Touré Hospital. I know that an autopsy was done but when I returned there, they redirected me to the 7th district police station, where the police commissioner told me that he couldn't give me my brother's autopsy report."³⁸

Several other relatives of the victims also stressed that they were denied documentation pertaining to their slain members by the police.



 Abdoulaye Berthé in his hospital bed (July 2020) ©Private

Abdoulaye Berthé, a newspaper seller, was on the bridge of Martyrs' in Bamako, not far from the site of the protests, not far from the National Assembly, when he and many others, were forced from the public bus he was in, due to the blockading of the road by the protests. While going to collect newspapers for his work, he was hit by a bullet in the leg. He told the organization:

"That Friday, I was on a Sotrama public bus, on my way to collect the day after's papers to sell when on the Martyr's Bridge, all the passengers were forced out because the road was blocked. This was around 4 pm and some of the demonstrators were burning tires, and others were robbing passers-by of their belongings, and blockading the traffic. I walked until the end of the bridge and just after the French Embassy, I was hit by a stray bullet in the leg and collapsed on the street. One of the demonstrators picked me up and drove me to the hospital Gabriel Touré on his bike. The blood was soaking my shoes and I had surgery on the following days. Many victims were just passers-by like me trying to make a living. The doctors said that the nerves of my leg were affected by the wound and up to this day, after driving all day, I must soak my leg in hot water to remove my trousers. It pains me to this day."³⁹

Following the occupation of public buildings by pro M5-RFP demonstrators, and the erection of barricades in several neighbourhoods of Bamako and acts of vandalism against public property, security forces acted much more forcefully against demonstrators, and the leaders of the M5-RFP.

4.2. 11 JULY, IN BADALABOUGOU

A meeting of the M5-RFP on 11 July ahead of a scheduled press conference at CMAS headquarters in Faso-Kanu was broken down by the forceful entry of security forces. Security agents arrested several leaders of

³⁸ Interview with "Adnan", elder brother of Ibrahim Traoré, (Bamako: July and November 2020)

³⁹ Interview Abdoulaye Berthé, (Bamako: July and November 2020)

M5-RFP, on unclear grounds. A member of the FSD, a component member of the CMAS told Amnesty International:

*“On Saturday morning [11 July], we were at the CMAS headquarters to hold a coordination meeting, but this was disrupted by the arrival of heavily armed security agents, who were hooded and were driving unmarked SOTRAMA buses. As soon as they entered, they teargassed the house, and everybody ran for safety. Following the disruption of this meeting, we went to the office of the opposition leader in Badalabougou, where the strategic committee was meeting. Four of the leaders, including Choguel Maiga and Me Mountaga Tall, were supposed to stay after the meeting to draft a statement on the day before the event and on the attack of the CMAS headquarters. The same hooded and heavily armed security agents came again in the same unmarked SOTRAMAs. They pointed their weapons at us, seized everybody’s phone and arrested Me Mountaga Tall and Choguel Kokalla Maiga”.*⁴⁰

Me Mountaga Tall and Choguel Kokalla Maiga were not the only leaders of the M5-RFP who were arrested and detained on flimsy charges in the context of the protests. The night before, Issa Kaou Ndjim, coordinator of the CMAS, was arrested at his residence and in the following hours, another leader, imam Oumar Diarra, was also arrested. Several leaders of the M5-RFP also went into hiding to prevent their arrests, or had their homes visited by members of the security forces without warrant.⁴¹ Although they were all freed by the judiciary on 13 July, the National Human Rights Commission was denied access to some of the detention cells by the gendarmerie, contrary to the statute and prerogatives of the Commission.⁴²

A few hours after the arrests of some of the leaders of the protests, a rumour about the imminent arrest of Imam Dicko, the moral authority of the M5-RFP, led to spontaneous public gatherings in Badalabougou, a neighbourhood where Imam Dicko has a residence. According to testimonies collected by the organization, several barricades were erected in Badalabougou by residents and demonstrators around and near the house of Imam Mahmoud Dicko, to slow down police progress in the neighbourhood. At the same time, the residence of Manassa Danioko, the then-President of the Constitutional Court, not far from the Salam Mosque and Imam Dicko’s house, was approached by a gathering of residents and demonstrators around 4 pm, leading to a reaction by security forces in the vicinity. Witnesses interviewed said that security forces fired teargas to disperse the crowd and when it failed, fired at the crowd which was threateningly approaching the residence.

One participant to the demonstrations told Amnesty International:

*“Around 12.30 pm, the rumors about the planned arrestation of the imam were strong and there was a general call to be at Badalabougou; everybody was there from vandals, M5-RFP sympathizers and other supporters. People came from everywhere in Bamako to Badalabougou. Around 4 pm, I could hear teargas being fired, and we decided to set up barricades. I could see also an armored vehicle also firing teargas. When the police decided to remove the barricades, there was a general anger at this, and people started moving to prevent it. Those that were close to Manassa’s house, said they wanted to attack the house. Some of them were saying: “Since the authorities want to arrest the imam, it’s because they don’t feel threatened, and we should move against Manassa.”*⁴³

Aly Sylla, a 29-year-old deliveryman residing in Badalabougou was one of the first victims of the lethal use of force. He was shot while approaching the residence of the President of the Constitutional Court, and his bleeding body could be seen in some of the live feed of the demonstrations posted in social media. According to family sources, he was shot on the back of the head, and had already died when his body was collected by civil protection services. “Ibrahim”,⁴⁴ a friend of Aly and one of the demonstrators who witnessed his death, told the organization:

“I was with Aly and several others when we approached the house of Manassa, in Badalabougou. People were saying that the government was about to arrest imam Dicko and every one of us was angered by this, after the morning’s events. I was not sure how it would unfold but when we got too close of the house, the police tried to disperse us. They fired teargas but there was one of them in front of Manassa’s house, dressed in civilian clothes and carrying a gun, and a Kalashnikov. He fired it in the air to disperse the crowd until his magazine emptied.

⁴⁰ Interview with member of the M5-RFP and witness to the security intervention (Bamako: July 2020)

⁴¹ Interview with member of the M5-RFP and witness to the security intervention (Bamako: July 2020)

⁴² Communiqué sur la visite inopinée au Camp I de la Gendarmerie de Bamako sur les droits des personnes gardées à vue (13 July 2020), <https://cndhmali.com/index.php/2020/07/13/communiqué-sur-la-visite-inopinée-au-camp-i-de-la-gendarmerie-de-bamako-sur-les-droits-des-personnes-gardées-a-vue/>

⁴³ Interview with Abdoulaye Sidibé, participant to the demonstrations and member of the Collectives of victims of 10-12 July, (Bamako: November 2020).

⁴⁴ The respondent’s name has been changed to preserve his anonymity.

He was the one who shot Aly from behind, almost at point blank range. When Aly fell, I shouted: “They shot him » and another friend told me that it was indeed Aly who was shot. After this we fled, but they were still firing at us. It was so shocking. It was the first time that I saw a man being shot by bullet. That night, I couldn’t sleep.”⁴⁵

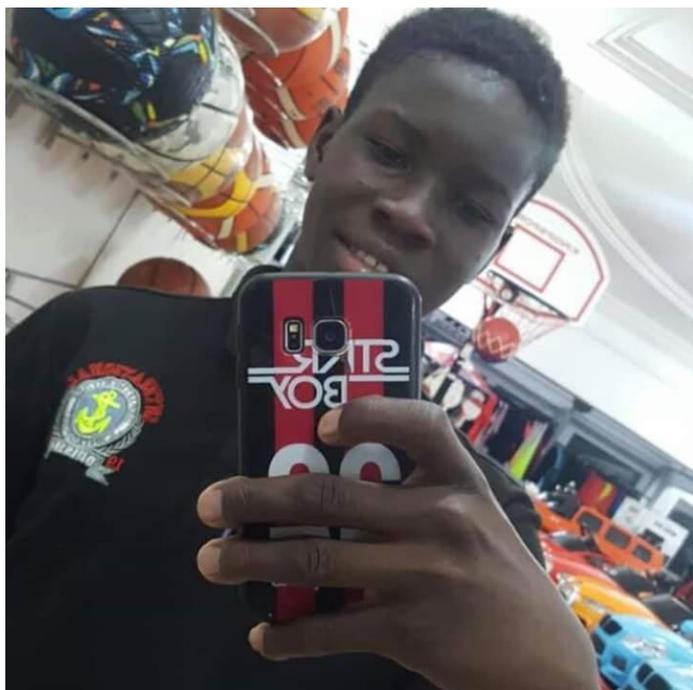


 *The corpse of Aly Sylla, from a screenshot of a live diffusion of the event*

Aly Sylla was not the only victim of the lethal use of force. Sidi Mohamed Doumbia, a 16-year-old student who was working as a mechanic apprentice over the summer, was also shot by the police in Badalabougou. The bullet wounded his arm and punctured his lung according to his father. This occurred as he was in his apprenticeship not far from his family compound in Badalabougou. Mohamed “Harlem” Doumbia, the father of the victim, told Amnesty International⁴⁶

⁴⁵ Interview “Ibrahim”, a friend of Aly and a demonstrator, November 2020 (Bamako).

⁴⁶ Interview with Mohamed Doumbia, (Bamako: July and November 2020).



 An undated photo of Sidi Mohamed Doumbia © Private

“It was around 4 pm when several kids came to my house to tell me to hurry because Sidi was hit by a bullet wound and that he was lying on the ground. He was then working at a mechanic shop not far from home since there was no school. I went to the scene and managed to bring him to the reference health centre of Quartier-Mali. When I arrived, there were many wounded children and I became really worried, because I realized that the bullet did not only tear the arm of Sidi but also lodged in his chest. The medical staff was really overwhelmed and there were many people, parents, wounded, friends, who were very angry, not making their job any easier. There was no specialist at the health centres to take care of Sidi. At some point, Sidi was telling me that he could not breathe anymore. The doctor on call was looking for an ambulance to drive him at a more specialized hospital for surgery. But there was no ambulance, all the roads were blocked due to the protests and I was becoming desperate. A few moments after, the doctors told me that he needed oxygen and brought him in a room to help him breathe. Next to me, there was a child, barely 12-year-old from my estimation. He was hit by a bullet in the mouth and the exit wound was on his neck. He was crying. I was so engrossed by his wounds that I forgot that my son was fighting for his life inside the room.”

Sidi Mohamed died at the hospital, and was buried along with two other victims, on 13 July after a religious ceremony in Badalabougou. The family did not file a complaint following his death but expressed their desire for justice to Amnesty International.

In the following hours, defence and security forces encircled the Salam Mosque and the residence of Imam Dicko in Badalabougou, seemingly confirming the rumours about his imminent arrest. The streets leading to the mosque and adjoining the residence were strewn with rocks, slabs and other obstacles to prevent access to the premises by the security forces, with many demonstrators rallying to the house to prevent the forceful arrest on the moral leader of the M5-RFP. Witnesses interviewed also stated that the information about the imminent arrest were amplified by at least one radio station (Nienta), which also called on all sympathizers to rally to Badalabougou.⁴⁷ After the earlier deaths in the vicinity described above and the suspense about the police deployment, demonstrators prepared to resist the arrest of the imam, by praying in the mosque Maghrib and ‘Isha⁴⁸ successively, fearing being surprised by the police. When the security forces moved in the street, to remove barricades, a confrontation ensued in which they fired tear gas and then live

⁴⁷ Interviews conducted with three demonstrators present in Badalabougou and during the intervention at the Salam Mosque, (Bamako: July and November 2020)

⁴⁸ Maghrib and ‘Icha are the last two of the five mandatory prayers of the Islamic faith. While Maghrib is performed at sunset, and ‘Isha at the beginning of the night, they can be combined in exceptional circumstances, as in this case.

ammunition at the demonstrators.⁴⁹ Loud sounds akin to stun grenades could also be heard in live videos of the event posted on social media and viewed by Amnesty International.⁵⁰



 Still image from a live video of protestors in the street leading to the Salam mosque in Badalabougou. Source Kati 24

A witness to the attempted assault on the mosque told Amnesty International:

“Fifteen minutes after we finished the prayer, they began firing tear gas. Around 8 pm, there was a huge crowd around the mosque and the residence. The security forces wanted to disperse the crowd and they had reinforcements coming around 8 pm, which managed to disperse the crowd. People had placed the hearse of the mosque in the middle of the road, to prevent access to the street. I was in front of the mosque and there was gas everywhere, with everybody fending from themselves. At this point, one of the armoured vehicles of the security forces fell into the ditch behind the imam’s residence in Badalabougou. There was smoke everywhere and sounds of teargas, with two canisters lobbed inside the imam’s residence. I and several others then attempted to enter the mosque, but we heard different shots. it was no longer teargas and people were falling and there were gunshots everywhere. The security forces had then taken full control

⁴⁹ Interview with Abdoulaye Sidibé. The aggregation of the two prayers was described literally as “Djam” by the respondent and corresponds to the “Djam Taqdim” practice.

⁵⁰ See Kati 24 Live Video of the intervention in Badalabougou. A white van, possibly the hearse of the Salam mosque, could be seen in front of the street, barring the road: <https://www.facebook.com/KatiVingtQuatre/videos/761414374627173>

of the street. An armoured vehicle drove to position itself in front of the imam's door. Four armed men came off it and their leader wore civilian clothes. And at this point I thought it was over.

The armoured vehicle stayed in front of the Imam's house, as if they were getting ready to step out and arrest him. But then, they stepped out and sat down in front of a shop. People told us that the Imam asked everyone to stay where they were, that he has spoken with them and that they are just trying to get out the armoured vehicle stuck behind the imam's residence. About three armoured vehicles were in this sector. Everyone expected the worst. They told people to come out of the mosque to come and help the civil protection evacuate the wounded. A youth hiding near a store has been flushed out by the police which beat him severely before releasing him. They left before midnight. Everyone was traumatized. I left the Imam's family at 3 a.m."

Issa Doumbia, 64-year-old, who received a bullet wound also told Amnesty International:

"I had just finished praying at the Salam Mosque and on the way home when the security forces began their intervention. When they started firing tear gas to take control of the street, all the crowd dispersed and I ran to the mosque, along many other people. Over the course of this, I was hit by a bullet which pierced my arm and then lodged in my belly. It was the other demonstrators who brought me inside the mosque and afterwards I was brought to the hospital where I underwent surgery"⁵¹

Hadi*⁵², 27-year-old passer-by was wounded by the security forces, while walking the road behind the mosque. He told Amnesty International:

"I was with my elder brother in Badalabougou to visit my aunt who lives there. At Imam Dicko's mosque, there were police firing tear gas canisters and later ammunition to intimidate protesters. One of their armoured trucks had fallen on a gutter behind the imam's house and the demonstrators were 150m from the fallen vehicle. The security forces next to the vehicle started firing at them despite the distance. I received some canister fragments but that did not prevent them from firing live ammunition at the demonstrators. I received tear gas fragments in my knee, but it was not incapacitating. Another fellow, a passer-by, or a demonstrator, I cannot tell, was wounded by bullet at the thigh. Me and my brother moved him from the scene and then drove him to the Badalabougou health centre. I couldn't tell you his name due to all the tumult of that night".⁵³

4.3. 11 JULY, IN COMMUNE VI

Beyond Badalabougou, defence and security forces also intervened in several other neighborhoods of Bamako, to remove barricades erected by the demonstrators or to protect public buildings. In the commune VI of the capital, the security forces were contending with demonstrators who were present on the Avenue de l'Unité Africaine Boulevard in Sogoninko and had blockaded all day the road between the UATT trucking company in Niamakoro and the Magnambougou-Sogoninko junction. It was there, next to the junction leading to Magnambougou, between the Health Reference Center of Commune VI and the 7th district police station, that Mamadou "Oury" Ba, a 27-year-old medicine doctoral student was hit by bullets fired by police officers, stationed in front of the 7th district police station on 11 July.⁵⁴ Ba was about to defend his PhD dissertation, which was delayed following the closure of education centers in response to the COVID-19 pandemic. He was on his way to the Reference Health Center of Commune VI on 11 July after he was called for support to the medical staff in the afternoon, when he was shot on the back by police officers at around 5 pm.⁵⁵ Ba had been on-call the night before and was called for support by the CSREF at Sogoninko.

Witnesses interviewed by Amnesty International stated that the shots that cost the life of Mamadou Ba were fired by police officers, who were firing at the demonstrators, behind sandbanks in front of the 7th district commissariat. According to witnesses, there were demonstrations near the road leading to the Commissariat, with several barricades erected by protestors in the vicinity. The police were not the only security unit present in the vicinity, as there were also gendarmes according to witnesses and demonstrators interviewed. There were about 40 security forces at the site, compared to around 100 demonstrators on the boulevard according to one witness.⁵⁶ The uniforms worn by the police officers were also not similar. According to a witness present at the scene, "there were four police officers that I could see from afar; one was wearing a

⁵¹ Interview with Issa Doumbia and his son Mohamed Doumbia, (Bamako: July 2020).

⁵² This respondent's name has been changed to protect his anonymity (Bamako: July 2020)

⁵³ Interview with "Moustapha", a witness to the security forces intervention (Bamako: July 2020)

⁵⁴ Interviews with Djouldé Ba, elder brother and "Mamadou", a neighbour and one of the first persons to provide help (Bamako: July and November 2020)

⁵⁵ Interview with Diouldé Ba, (Bamako: July 2020)

⁵⁶ Interview with "Hashimi", one of the first persons on the scene (Bamako: November 2020)

yellow t-shirt, another was wearing the uniform of the Road Traffic Company (CCR), the other a Lacoste shirt with “Police” printed on it and the last one I could see, was wearing a regular police uniform”.⁵⁷

Hashimii*⁵⁸ who was one of the first to come to the scene to help Mamadou Ba, told Amnesty International:

“There were protesters who had barricaded the road [boulevard de l’OUA] to prevent traffic between 2 and 3 p.m. Where there were clashes, it was at the Magnambougou roundabout.

At first, I was at the cemetery not far from this place, and there were no gunshots. Police officers were at the Magnambougou roundabout, and we were far from each other. At one point, there was a reinforcement of the gendarmerie forces which came to the scene. It was this presence that enabled the police to advance towards the demonstrators, firing tear gas. We retreated for almost 200 meters, and they were still advancing firing tear gas. At this point, some of the demonstrators started to pelt stone at the police, forcing them to go back to the front of the 7th district police station. And that’s where they started shooting live ammunition.”



© Hashimi*, cone of the first persons on the scene after the shooting of Mamadou “Oury” Ba.

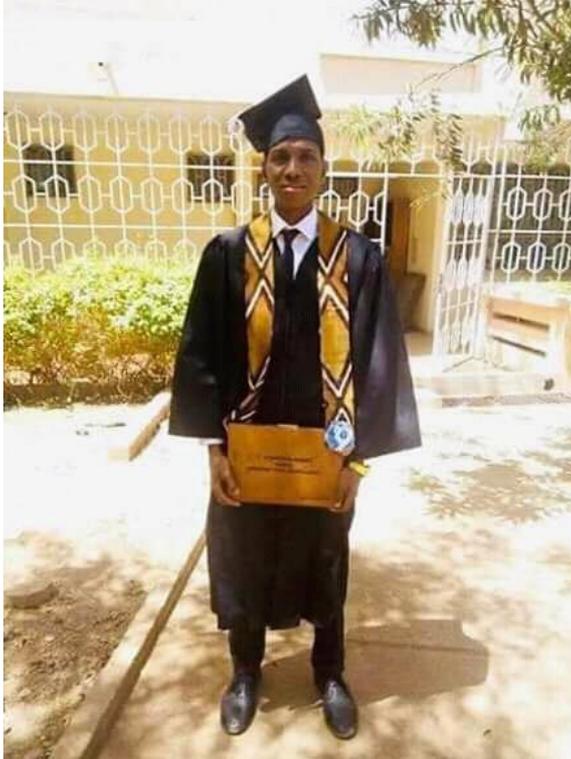
He also added:

“It was when I was moving from the scene that a young man from my neighbourhood told me that Oury, was wounded and had fallen. He was bleeding, on the road next to the CSREF and the drug store; I first saw his back and I presumed that it was a slight injury, but the bullet had gone through him all the way to the back. With the help of another young man, we transported him to the clinic Espoir, and it was while driving that I saw a wound below his navel, which was much more serious than the one on his back. But despite this, he was speaking. I asked him if I could drive him to Gabriel Touré, which he acquiesced but since all the roads were obstructed, he told me to go to the Espoir Clinic where he used to be on-call. He even gave me the phone number of a doctor to tell him about our arrival, and when I called, he told me that he would wait for us. Unfortunately, when we arrived, they refused to touch his body because he was wounded by bullet. They said they needed documentation about how he was wounded, and I insisted with them to give him help, because his life was obviously in danger. To no avail. For one hour, nobody attended him and after I sought out the manager of that clinic, he gave the order to attend him. They started giving him first aid and

⁵⁷ Interview with “Hashimi”, one of the first persons on the scene (Bamako: November 2020).

⁵⁸ The respondent’s name has been changed to preserve his anonymity.

when I asked about surgery, they told me to my surprise, that the surgeon was absent and told me to bring him to another health reference centre. This is how we lost two to three hours, before going to Sogoninko at around 8 pm. And even in that clinic, they had refused to attend to wounded individuals without proper documentation but since they knew Oury as an on-call doctor, they brought him to the surgical room but 45 minutes later, they told us that Oury had not survived and died from his wounds”.



©Picture of Mamadou Ba ©Private

A death certificate was issued by the CSREF following Ba’s death and the family did not file a complaint to the police regarding the loss of their relative.⁵⁹

“Up to this day, I am hurt by this loss. It hurts when I think of how he died and when I reminisce that it was the police that fired at him, on the back, while he was going to support the CSREF staff. As a Malian citizen, when I think of how the medical staff behaved, asking for documents before attending grievously wounded citizens, it disgusts me. Worst, the authorities do not seem to care about these deaths.”⁶⁰

Another victim, 22-year-old Koutedja Doucouré, was wounded in her bedroom after a bullet fired by police officers from the Magnambougou. She was woken up by the gunshots fired by the police to contain the demonstrators, and was hit in her chest, when she approached the window to see what was going on. Her sister-in law told the organization:

“We were all at home that afternoon, when Koutedja was wounded in the chest. It was around 5pm and there were gunshots some of which sounded very close to our home. Koutedja was awoken by the noise and approached the window to look at the demonstrators and the police at the junction. This is when she was wounded in the arm and the chest, and we were alerted of it when she screamed in pain. I could not tell who fired the shot, and we did not find any bullet in the room. She was brought to the hospital afterwards and her wounds were medically treated daily, in the ensuing weeks.”⁶¹

Another 40-year-old passer-by wounded next to the Sogoninko junction told the organization.

“I was not even participating in the demonstration when I was hit at the elbow by a bullet, next to the road leading to Sogoninko. I live in Dialakoroba (almost 20 kms from Bamako), beyond Senou and that afternoon, I was on my bike, to buy drinks for home when I saw police officers approaching the junction and firing at the demonstrators. When they saw me on my bike, they fired at me and it was as if my arm was cut off. It

⁵⁹ Interview with Diouldé Ba, (Bamako: July 2020)

⁶⁰ Interview with “Hashimi”, one of the first persons on the scene (Bamako: November 2020).

⁶¹ Interview with “Inna”, relative of Koutedja Doucouré (Bamako: July 2020)

was very tough to maintain the grip on the motorbike, and some of the demonstrators were telling me to keep going and not to fall there. I managed for some meters and then stopped at a house, where an old man and his family helped me. This is how I was brought to Gabriel Touré for treatment, but I was not even participating to the demonstration. I am not interested in it, and all I wanted was for quiet to return, for dialogue so that business could return as usual. I was really unlucky.”⁶²

Beyond the victims, some of the private properties were riddled by bullets fired by police officers stationed near the Magnambougou junction. This is the case of Immeuble Adjacoroba in Sogoninko, which was hit by bullets fired by security forces on 11 July.



© Bullet impact on Immeuble Adjacoroba in Sogoninko/Magnambougou, during the 11 July demonstrations. ©Private

⁶² Interview with “M.S.”, victim of the use of firearms during the demonstrations (Bamako: July 2020).

5. THE 18TH AUGUST FORGOTTEN CASES

The political crisis wracking Mali since May 2020 would find its peak with the intervention of the military in public affairs on 18 August and the forced resignation of the President. In his final speech, President Keita also dissolved the National Assembly and the Government, paving the way to a transition.

Weeks before the coup, the President had announced investigations into the deaths of demonstrators and destruction of private and public property and invited the M5-RFP to join a government of national unity. Furthermore, the contested Constitutional Court was dissolved, and new members were nominated in August.

Despite these political developments, the tensions were far from being defused. After announcing a pause on 21 July, the M5-RFP called for a new campaign of civil disobedience on 3 August, in order to put “pressure on the regime” and to let it know that “the Malians did not want them anymore”.⁶³ Another demonstration was organized on 11 August at the Independence Square, calling for the resignation of the President.⁶⁴

A negotiated issue to the crisis was far from being achieved and in this context, the army intervened on 18 August. A mutiny by the army units in Kati and N'tomikorobougou (Bamako) started in the morning and led to the arrestations of several cabinet members and military officers. The mutiny was supported by spontaneous demonstrations by citizens and sympathizers of the M5-RFP around noon, in Bamako, calling for the overthrow of the regime. Around 4.30 pm, President Keita and Prime Minister Cissé were arrested without violence by the mutinous soldiers at his private residence in Sebenikoro and driven to custody at the Soundiata Keita camp in Kati. Over the night, in a televised address, the President announced his resignation, the dissolution of the National Assembly and of his government.⁶⁵ A few hours later, five officers of the Malian Army announced the formation of a National Committee for Public Salvation (CNSP) and justified their intervention by the political deadlock and the general insecurity and anarchy wracking the country.⁶⁶ The air and terrestrial borders of the country were closed, and a curfew was set up from 9 pm to 5 am. The overthrow of the regime was immediately condemned by the ECOWAS, which also imposed financial sanctions on the country, and called for the release of the president and the government ministers, held on an extra-legal basis by the new military junta.

The overthrow of the regime led to breakdown of public order and to several acts of pillaging against the possessions of the members of the deposed regimes, and against several gas stations in Bamako. Medical sources interviewed by Amnesty International immediately after the incidents, testified that several individuals were driven to the Gabriel Touré Hospital to receive treatments for bullet wounds received overnight. At least four people died from bullet wounds, and about 15 others were dispatched to the

⁶³ Malivox. 2020. « Urgent: le M5RFP appelle à un nouveau rassemblement le 11 août 2020 partout au Mali », 4 August : : <https://malivox.net/urgent-le-m5rfp-appelle-a-un-nouveau-rassemblement-le-11-aout-2020-partout-au-mali/>

⁶⁴ Maliweb. 2020. Les premières images de la grande marche du M5-RFP du 11 août 2020 , 11 August : <https://www.maliweb.net/societe/les-premieres-images-de-la-grande-marche-du-m5-rfp-du-11-aout-2020-2889540.html>

⁶⁵ VOA. Discours de démission d'IBK: "Qu'Allah aide et bénisse le Mali (19 mai 2020) : <https://www.voafrique.com/a/le-pr%C3%A9sident-malien-annonce-sa-d%C3%A9mission-apr%C3%A8s-un-coup-d-%C3%A9tat-militaire/5549205.html>

⁶⁶ Declaration of the CNSP following the 18 August coup d'état : <https://www.youtube.com/watch?v=Auh8wEZYwFO>

hospital.⁶⁷ This contrasts with the declaration of the CNSP, which in their press conference the day after their assumption of power declared that the coup was bloodless and that the deaths occurring the night before were related to acts of vandalism.

“Adama”⁶⁸, a 39-year-old father of five, was hit by a bullet while in his private residence in Hamdallaye. Driven to the hospital to receive treatment, he was on life support at the Hospital Gabriel Touré, before succumbing to his wounds on 24 August.

According to his brother “Hamidou”⁶⁹:

“He was in Hamdallaye [commune 4 in the district of Bamako], not far from the Luxembourg Hospital on the day of the coup. He resides not far away from the hospital and on that day, contrary to his habit, he was the first in the house to go to bed at 8 pm due to the events of the day. The soldiers were driving on the street, motorcycles and shooting in the air. This is how he was hit by a bullet that pierced the roof and hit him on his bed. Five vital organs were affected.

We brought him to Gabriel Touré [hospital] where he spent several days in intensive care. He died five days later, on August 24 at 6:50 p.m. At the camp 1 of the gendarmerie, a judicial investigation service composed of gendarmes came to the mortuary to confirm his death. The medical examiner of the hospital performed an autopsy and the gendarmes told us to bury his body right away. It was only on the 26 that we buried him at my home in Dialakorodji Keneyadji. The SIJ promised an investigation but there has been no news since then”.

He also added:

“I categorically deny any claims that there was no bloodshed. Those who were firing in the air were soldiers on motorcycles and wearing green berets. We must do justice because there has been a death of a man. He is not an offender, but someone who was shot in his home. The responsibility lies with those who carried out the coup.”

Many sources, informed about these incidents, refused to be interviewed about the deaths and injuries caused by the use of firearms during the coup, for fear of reprisals.

⁶⁷ Interview with medical source, 19 August 2020. See also Ruth MacLean, Cheick Amadou Diouara and Elian Peltier. Mali Coup Leaders Pledge Democracy After Deposing President (New York Times), 19 August: <https://www.nytimes.com/2020/08/19/world/africa/mali-military-coup.html> and also RFI. “Coup d’état: 4 morts civils dans la nuit selon l’hôpital de Bamako”: <https://twitter.com/rfi/status/1296076338739048448>

⁶⁸ The respondent’s name has been changed to preserve his anonymity

⁶⁹ The respondent’s name has been changed to preserve his anonymity.

6. STATE OF PLAY OF JUSTICE FOR VICTIMS

The reactions of the Malian authorities to the excessive and lethal use of forces during the demonstrations in Sikasso, Kayes and Bamako between May and July 2020 were uneven. If for Kayes (May) and Bamako (July), investigations were announced soon after the events, no official investigations were announced for Sikasso (May) and for the deaths linked to the coup d'état of 18 August, in Bamako.

In the case of Sikasso, the Malian authorities failed to conduct public investigations in the circumstances under which law enforcement officials used force and firearms against demonstrators. Besides, the regional police director denied the use of firearms by the police, or the deployment of the Special Anti-Terror Force (FORSAT), which has been alleged by some of the demonstrators following the incidents.

In the case of Kayes, although investigations were opened and several family members and witnesses were interviewed by the judiciary, the dossier was still under preliminary examination as of April 2021 and the agent responsible for the death of Tamboura was still detained at the Kayes prison.⁷⁰ At least three relatives of Tamboura were auditioned in June 2020, as part of the investigation on the circumstances of his death, but they have expressed their dismay at the lack of update since then, and their incomprehension of the legal process, while remaining hopeful that justice and truth will prevail. “We have been a little forgotten since some of us were auditioned by the judge in June and we don't know the status of the judicial investigation” said a relative of Seyba Tamboura to Amnesty International.⁷¹

Concerning the casualties linked to the demonstrations in Bamako on 10-11 July, the reaction of the authorities was immediate. In a public speech dating from 11 July, the President deplored the casualties linked to the demonstrations of 10-11 July and promised that the circumstances under which they occurred would be investigated and responsibilities established. Furthermore, the Minister of Justice confirmed on 6 August that “investigations were ongoing, and responsibilities would be established” following the deaths, injuries and damages to public property that occurred on 10-12 July.⁷² This was in the aftermath of the Extraordinary Summit of ECOWAS Heads of State and Government on Mali, of 27 July, which called for a government of national unity and investigations on the deaths.

As of April 2021, several of the victims of the July demonstrations have been auditioned by the courts following the opening of the judicial investigation. and a call for testimonies made by the Prosecutor in December 2020 and also in March 2021. A list of victims has been established for hearings, A judicial delegation is also expected to be installed, in order to facilitate the hearings of the 121 members of the security forces who were allegedly wounded during the protests.⁷³ Some of the victims of use of force and their families organized into an association with a lawyer representing their interests before the court and keeping them updated about the proceedings. But at the time of the release of this report, no one has been indicted for the cases of excessive and lethal use of force during the July demonstrations in Bamako.

As for the cases of the lethal use of force by alleged members of the military over the course of 18 August, the military junta had denied any “death” during the change of power and stressed at several times, that the

⁷⁰ Interview with Commune III (Bamako), Public Prosecutor (February and April 2021).

⁷¹ Interview with T. S. Tamboura, (Kayes: February 2021).

⁷² Mali – Me Kassoum Tapo : « Les enquêtes sont en cours et les responsabilités seront situées » : www.maliweb.net/societe/justice/mali-me-kassoum-tapo-les-enquetes-sont-en-cours-et-les-responsabilites-seront-situees-2889441.html

⁷³ Interview with Commune III (Bamako), Public Prosecutor (April 2021).

coup was “bloodless”. Amnesty International consulted the death certificate of “Adama”, which lists the cause of death as « ballistic trauma ». The death certificate has also been initialled by the Judicial Investigations Unit of the National Gendarmerie. This death, as well as three others, and many wounded as confirmed by medical sources during the night of the coup and the involvement of the SIJ in the investigations were never acknowledged publicly by the Malian authorities. Over the following weeks, Amnesty International was confronted to a wall of silence by the medical sources, following the intervention of leaders of the CNSP denying any casualties during the 18th August and denouncing those who attributed the death to the military.⁷⁴

There is a lack of transparency over these casualties and a sense of intimidation expressed not only by victim’s relatives but also by medical sources. Inquests made by the organization with the Judicial Investigations Unit of the Gendarmerie, which victims’ relatives were in contact with, following the incidents, were also rebuffed and referred to the “hierarchy”.⁷⁵ This is despite the existence of administrative papers related to the case initialled by the unit.

The strong desire expressed by the victims and their relatives, regarding the circumstances under which firearms were used by security and defence forces in all the incidents investigated above, must be met by a willingness to thoroughly investigate all incidents by the Malian authorities, and if there is sufficient admissible evidence, the prosecution of all those suspected of criminal responsibility for human rights violations before ordinary civilian courts. It is important to note that most of the victims interviewed and their relatives expressed their scepticism about the prospects for justice despite the announcement of investigations, even in instances where they were heard by the judicial authorities.

⁷⁴RFI. Mali: le M5-RFP se dit prêt à travailler avec la junte pour « une transition républicaine »: www.rfi.fr/fr/afrique/20200819-mali-le-m5-rfp-dit-pr%C3%AAt-%C3%A0-travailler-la-junte-une-transition-r%C3%A9publicaine

⁷⁵ Interview with head of SIJ, February 2021.

7. NATIONAL AND INTERNATIONAL STANDARDS

The deaths and injuries sustained by protesters in Kayes, Sikasso and Bamako, and during the coup, must not be forgotten. As part of the consolidation of the human rights framework in Mali, it is fundamental that the authorities acknowledge all these deaths, ensure and expedite prompt investigations, impose adequate sanctions, and provide full reparation to victims and their families.

Freedom of peaceful assembly is recognized by the 1992 Malian Constitution. Its article 5 recognizes and guarantees, according to the conditions established by law, the freedom of movement, of association, and of peaceful assembly, of procession and of protest.⁷⁶ Furthermore, Mali has ratified the International Covenant on Civil and Political Rights (ICCPR), which recognizes the right of peaceful assembly in its Article 21,⁷⁷ and the African Charter of Human and Peoples' Rights which also guarantees the same right under its article 11.⁷⁸

Furthermore, international law stresses that “isolated acts of violence by some of the participants should not be attributed to others, to the organizers or to the assembly as such” and cannot deny the protection established by Article 21 of the ICCPR to non-violent demonstrators.⁷⁹

Amnesty International acknowledges the duty of law enforcement officials to maintain public order and may have to use, as a last resort, forces and firearms in self-defence or defence of others against the imminent threat of death, or serious injury. This role should, however, be carried out in a way that ensures full respect for the right to life, liberty and security of all persons, including those suspected of crime. It is subject to strict human rights safeguards as set out in the UN Code of Conduct for Law Enforcement Officials (1979) and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990).

The UN Basic Principles specify clearly that “law enforcement officials, in carrying out their duty, shall, as far as possible, apply non-violent means before resorting to the use of force and firearms” and that “they may use force and firearms only if other means remain ineffective or without any promise of achieving the intended result”.⁸⁰ In the cases where the use of force is unavoidable, they should:

⁷⁶ Malian Constitution (1992). Article 5

⁷⁷ International Covenant on Civil and Political Rights: Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966 entry into force 23 March 1976, in accordance with Article 49, www.ohchr.org/en/professionalinterest/pages/ccpr.aspx

⁷⁸ African Charter of Human and Peoples Rights: www.un.org/fr/africa/osaa/pdf/au/afr_charter_human_people_rights_1981f.pdf

⁷⁹ Human Rights Committee. General comment No. 37 (2020) on the right of peaceful assembly (article 21) para 17:

<https://digitallibrary.un.org/record/3884725?ln=en>

⁸⁰ UN Basic Principles. Point 4 :

www.ohchr.org/en/professionalinterest/pages/useofforceandfirearms.aspx#:~:text=Law%20enforcement%20officials%2C%20in%20carrying,of%20achieving%20the%20intended%20result.

- Exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved.
- Minimize damage and injury, and respect and preserve human life.
- Ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment.
- Ensure that relatives or close friends of the injured or affected person are notified at the earliest possible moment.

Firearms may only be used against individuals presenting an imminent threat of death or serious injury⁸¹. They must be carefully targeted taking all precautions available to prevent people who are not presenting such a threat are hit and they must be preceded by a warning. Random firing at a crowd and the use of firearms as a means to disperse an assembly is per se unlawful under international human rights law and is a violation of the right to life.⁸²

The firing of shots in the air, even as a means of warning, presents a use of a firearm, that is inherently dangerous, and should, if at all, only be allowed in extreme situations, with all due precautions to prevent that other persons can be hit by the returning bullet. If at all, it must only be allowed in a situation of an imminent threat of death or serious injury and if preceded by a verbal warning.⁸³

People injured must be given immediate medical attention.⁸⁴ The need to document cases or to preserve evidence should never delay the treatment of a wounded person.

Even though the right to freedom of peaceful assembly can be restricted under certain circumstances, authorities should not disperse an assembly for the mere reason of being considered unlawful under domestic legislation.⁸⁵ And even when people engage in unlawful behaviour, such as erecting barricades or trying to block passage of law enforcement personnel, priority must be given to de-escalation, mediation and negotiation.⁸⁶ Individuals engaged in violent acts must be dealt with as such, sparing those who remain peaceful as well as bystanders and people living in the area. Any use of force must strictly comply with the principles of legality, necessity and proportionality.⁸⁷ The use of weapons with an indiscriminate effect, such as wide area chemical irritants (commonly referred to as tear gas) must be limited to situation in which violence is so widespread that it is not possible anymore to deal with violent individuals alone⁸⁸. Any use of force must be preceded by a warning, with sufficient time given for people to comply with the orders⁸⁹.

In such circumstances, chemical irritant should be used as a means of dispersal; it should therefore not be fired into closed spaces where people will have difficulties to escape exposing them to higher risks of serious health problems due to the concentration of the irritant and prolonged time of exposure in such a closed space.⁹⁰

For almost all the cases described above, in the context of the protests, it is clear that the killings and serious wounds resulted from the excessive use of force by defence and security forces. Many of the victims of the use of firearms were hit or wounded in the chest, sometimes on the back, and/or were by-standers or people at work or home showing evidence that the security forces did not respect international standards, not shooting in self-defence or from imminent threat.

⁸¹ UN Basic Principle No. 9.

⁸² ACHPR Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa (2017), 21.2.5.

⁸³ Amnesty International, Dutch section, Guidelines for the Implementation of the UN Basic Principles for the Use of Force and Firearms by Law Enforcement Officials (2015), section 5.2.

⁸⁴ UN Basic Principle Nr. 5c)

⁸⁵ ACHPR Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa (2017), 19.3

⁸⁶ ACHPR Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa (2017), 20.2. and 22.3.

⁸⁷ ACHPR Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa (2017), 21.1.2.

⁸⁸ Amnesty International, Dutch section, Guidelines for the Implementation of the UN Basic Principles for the Use of Force and Firearms by Law Enforcement Officials (2015), section 7.4.2. b).

⁸⁹ UN Basic Principle No. 10.

⁹⁰ Amnesty International, Dutch section, Guidelines for the Implementation of the UN Basic Principles for the Use of Force and Firearms by Law Enforcement Officials (2015), section 7.4.2. b).

This research shows that in many instances, no medical support was provided to the victims after they were shot, contrary to the UN Basic Principles, and to the Code of Conduct of Malian Armed Forces.⁹¹ Interviews also show that many of the families were denied documentation regarding the cause of deaths of their relatives, during the protests.

In Mali, three security agencies are tasked with maintaining public order: the Police, the Gendarmerie and the National Guard,⁹² the last two agencies being under units of the armed forces and under the supervision of the Ministry of Defense. While units of the armed forces can be deployed for law enforcement purposes, they must comply within their policing activities, to the international standards established by the UN Code of Conduct for Law Enforcement, and the UN Basic Principles on the Use of Force by Law Enforcement Officials. Another unit that was deployed by the Malian authorities to police the demonstrations in Bamako (July), and allegedly in Sikasso, the Special Anti-Terror Force (FORSAT), has an exclusively counter-terrorist mandate; the first article establishing the unit stating clearly that “no other security mission can be tasked” to the FORSAT other than fighting against terrorism.⁹³ Its deployment to support law enforcement units, attested by witnesses and the UN, constitute serious breaches to the national provisions of public order in Mali.

For the case of the killing during the coup documented above, the testimony shows a high probability of unlawful killing by defense forces.

Amnesty International reminds the Malian authorities of their obligation to justice, truth, and reparation towards victims of illegal use of force and firearms in 2020. A prompt, thorough and independent investigations must be conducted by the Malian authorities and those suspected of criminal responsibility must be prosecuted. Authorities must also ensure that those with command responsibility are held to account. Victims of illegal use of force and firearms must be granted full reparation, including compensation, restitution, rehabilitation, satisfaction and guarantees of non-repetition.

⁹¹ Article 35 of the Code of Conduct of the Malian Armed Forces specify clearly that after the use of firearms, the military must assist all injured individuals and provide medical assistance and alert the victim’s relative about the incidents. A report of the incident must be made and if necessary, an investigation opened. <https://www.resdal.org/Archivo/d000000c.htm>

⁹² See article 6, of the Ordonnance no.2018-015/P-RM du 15 mars 2018 on the statute of police agents : <https://sgg-mali.ml/JO/2018/mali-jo-2018-11.pdf>; Article 2 of the Ordonnance no. 2019-003/P-RM of 4 March 2019 on the creation of the Malian National Guard : <https://sgg-mali.ml/JO/2019/mali-jo-2019-06.pdf> and Article 36 of the Decree nno. 2019-0348/P-RM of 29 May 2019, establishing the organization and the operating methods of the National Gendarmerie : <https://sgg-mali.ml/JO/2019/mali-jo-2019-16.pdf>

⁹³ Arrêté n°2016-0592/mspc-sg du 22 mars 2016 portant création et composition d’une force speciale anti-terroriste de securite <http://extwprlegs1.fao.org/docs/pdf/Mli165363.pdf>

8. RECOMMENDATIONS

In view of the violations to the right to life, physical integrity, and to the freedoms of expressions, information, and assembly described above, Amnesty International urgently calls:

THE MALIAN AUTHORITIES:

1. To expedite investigations linked to the cases of lethal use of force in Kayes (11 May) and Bamako (July) during the protests, and to launch a thorough investigation into the use of force in Sikasso (7 May), for the purpose of delivering justice, truth and reparation to the victims or their relatives.
2. To acknowledge the casualties linked to the 18 August regime change and to conduct investigations on the circumstances of these deaths and injuries, following which, all those suspected of criminal responsibility must be investigated and, if there is sufficient admissible evidence against them, prosecuted in fair trials before ordinary civilian courts.
3. To provide full reparation to the victims of human rights violations committed by defense and security forces between May and August 2020 in Kayes, Sikasso and Bamako.
4. To ensure the protection of journalists and media professionals while in the conduct of their activities, including the coverage of demonstrations, and to prevent the obstruction of their work by law enforcement officials.
5. To ensure the respect of freedoms of expression and peaceful assembly and to facilitate their exercise, by training and ordering the security forces tasked with maintaining public order to respect national and international laws, including the African Commission on Human and Peoples' Rights Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa.
6. To instruct security forces to give preference to means of de-escalation, mediation and negotiation and to resort to the use of force in the course of assemblies only as a last resort.
7. To ensure firearms are used by law enforcement officials according to the principle of proportionality and necessity, when only their life is threatened, or the life of another individual, in compliance with the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
8. To prohibit random firing as well as the use of firearms as a means of dispersal of an assembly, as this is likely to injure or even kill anybody in the surroundings.
9. To ensure that wide area chemical irritants are only use in situations of widespread violence where they cannot address the situation in dealing with violent individuals alone.
10. To prohibit the use of wide area chemical irritants in closed space and against peaceful protestors or protestors only engaged in non-violent acts of civil disobedience.
11. To ensure that all medical personnel is instructed to give immediate attention to any injured person, irrespective of the nature and the cause of the injury.
12. To fully implement and ensure respect of UN Basic Principles on the Use of Force and Firearms by Law enforcement officials as well as the ACHPR Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa. Amnesty International has developed Guidelines for the implementation of the UN Basic Principles and recommends the law enforcement authorities to use these guidelines as a benchmark in that regard.

13. To cease forthwith the deployment of military and special forces such as the FORSAT, for the purpose of maintaining public order during demonstrations.
14. To cease disruptions to Internet services in politically tense contexts which constitute violation to the right to information and to freedom of expression.

THE REGIONAL AND INTERNATIONAL PARTNERS OF MALI:

1. To encourage and support the Malian authorities to ensure the respect by the defense and security forces the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the African Commission on Human and Peoples' Rights Guidelines and the Policing of Assemblies in Africa;
2. To encourage and support Malian authorities in the fight against impunity of the perpetrators of human rights violations, notably the violations of the right to life committed by law enforcement officials.
3. To advocate before the Malian authorities for the respect of the rights to freedom of expression and peaceful assembly as guaranteed by the Malian Constitution and the international human rights standards.

**AMNESTY INTERNATIONAL
IS A GLOBAL MOVEMENT
FOR HUMAN RIGHTS.
WHEN INJUSTICE HAPPENS
TO ONE PERSON, IT
MATTERS TO US ALL.**

CONTACT US



info@amnesty.org



+44 (0)20 7413 5500

JOIN THE CONVERSATION



www.facebook.com/AmnestyGlobal



[@Amnesty](https://twitter.com/Amnesty)

KILLED, WOUNDED AND FORGOTTEN?

ACCOUNTABILITY FOR THE KILLINGS DURING DEMONSTRATIONS AND THE COUP IN MALI

This report investigates the deaths and injuries linked to the lethal use of force by defence and security forces in Mali, in the context of anti-government demonstrations that began in May 2020 and during the coup d'état of 18 August 2020.

Amnesty International documented several instances of the use of firearms by security and defence forces leading to the deaths of at least 18 individuals in the context of demonstrations in Sikasso (one), Kayes (three) and Bamako (14). In most cases, Amnesty International have shown clear evidence of excessive use of force by defence and security forces.

Amnesty International can affirm that at least four individuals were killed during the 18 August coup d'état, from gunshots, allegedly fired by members of the security forces, contrary to the affirmations of the transitional authorities.

The victims cannot be forgotten. Authorities must ensure investigations for all cases during the demonstrations and the coup, and prosecute those allegedly responsible, before ordinary courts.

Victims urgently need justice, truth and reparations.