Dear Ambassador,

Since January 2012 Mali has struggled to cope with political, security, and humanitarian crises. More than 470,000 people are displaced and at least 500,000 people require immediate food assistance in northern Mali alone. Social tensions are high, with communities deeply polarized. Human rights abuses including reprisal attacks by members of the Malian Security and Defense Forces against Tuaregs, Arabs, and others suspected of collaborating with armed groups continue. In addition, the extent to which armed groups could re-emerge after French counter-terrorism forces drawdown remains unknown.

As the United Nations (UN) Security Council deliberates authorizing a UN peacekeeping mission in Mali consisting of a re-hatted African-led International Support Force in Mali (AFISMA), humanitarian organizations urge you to consider the following six suggestions.

1. Ensure that a clear distinction is made between the UN peacekeeping mission and any offensive counter-terror or counter-insurgency operations conducted by any potential ‘parallel’ or other force. The obligation of a ‘parallel’ or other force to comply with international humanitarian law and applicable human rights law must be underscored.

2. Require a clear commitment from the Malian authorities to an inclusive reconciliation and political process with all communities. To this effect, the restoration of local administration and public services in main cities of the north should be a priority for Malian authorities.

3. Mitigate harm to civilian populations and objects by monitoring potential threats, providing a deterrent presence, and using force only when civilians face an imminent threat. “Protection of civilians” should not be interpreted as authorizing UN peacekeeping forces to undertake counter-terrorism or counter-insurgency related offensive operations against armed groups. All such operations should be reserved for non-UN forces.

4. Support the importance of unimpeded humanitarian access and civilian-led impartial and independent delivery of humanitarian assistance to vulnerable communities. The independent character of humanitarian response, which is critical to accessing the most vulnerable communities, must be preserved by ensuring UN humanitarian leadership is clearly distinct from the political and security functions of the mission. Military forces should not provide relief or development assistance other than in exceptional cases and as a last resort and at the request of the Humanitarian Country Team or Emergency Relief Coordinator.

5. Implement the UN Human Rights Due Diligence Policy (HRDDP) on UN support to non-UN forces to ensure that measures are taken to address any non-compliance with international humanitarian and human rights law of both individuals and institutions, including the Malian Security and Defense Forces. Those unable to comply with international humanitarian and human rights law should not receive support from the UN mission or system. Human rights monitors and child protection advisors should be deployed throughout the country to report on compliance with international law by all
parties and actors.

6. Troop Contributing Countries (TCCs) must ensure all personnel contributed to the UN peacekeeping mission have been screened for human rights abuses and are trained on, and abide by, international humanitarian law and applicable human rights law, as well as child protection guidelines and standards. Any potential TCCs alleged to have recruited and used children or committed other grave violations against children must demonstrate they have fully met with the criteria for de-listing from the Annex of the Secretary-General’s report on Children and Armed Conflict, including full implementation of action plans when applicable. All TCCs must implement commitments regarding zero tolerance of sexual exploitation and abuse by UN and non-UN personnel.

The next few months present a critical window of opportunity to try and avert a worsening humanitarian situation in Mali, improve the human rights situation, and support neglected reconciliation and political reforms. Our members’ representatives in New York would be pleased to discuss these issues further; please contact Marzia Montemurro, ICVA’s representative in New York, at 646 938 8500 to schedule a meeting at your convenience.

Sincerely,

Sam Worthington
President and CEO
InterAction

Nan Buzard
Executive Director
International Council of Voluntary Agencies (ICVA)