Parliamentary Assembly
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Resolution 1919 (2013)[1]
Final version

Recent developments in Mali and Algeria and the threat to security and human rights in the Mediterranean region

Parliamentary Assembly

1. The Parliamentary Assembly is deeply concerned about the human rights and security situation in Mali and the recent crisis in Algeria, a country in the Council of Europe's immediate neighbourhood, where hundreds of Algerian and foreign nationals were taken hostage by radical terrorist groups on 16 January 2013.

2. The Assembly notes that the recent French military intervention in Mali, in response to a specific request from the Government of Mali and endorsed by the United Nations Security Council, is aimed at halting the al-Qaeda-linked armed groups that were rapidly advancing towards the capital, perpetrating grave human rights violations and threatening the stability of the entire region and the African continent as a whole. These groups, armed with heavy weapons originating in part from the war in Libya, gradually seized control of northern Mali, after fighting between Malian government troops and Tuareg rebels broke out in the north of the country in January 2012 and after a military coup in the capital caused further political instability in March 2012.

3. The Assembly calls for the rapid implementation of United Nations Security Council Resolution 2085 on Mali, adopted in December 2012, which provides for the deployment of an African-led international support mission in Mali, in co-ordination with other partners, including a time-limited European Union-led training mission.

4. The increased involvement of, and solidarity from, other European and African States, the European Union and the United States of America, in support of Malian and French forces on the ground, are necessary to put an end to the establishment of a regime based on terrorism, hostage taking and drug and arms trafficking in the Sahel – with all the consequences this might have for the Mediterranean region, Europe as a whole and the international community at large – and to restore Mali's constitutional order and territorial integrity.

5. The Assembly recognises the complexity of the local situation and the varied policies and background of the Tuareg groups, often stemming from the long-standing neglect of the north from colonial times. It notes that the traditionally nomadic Tuareg people in northern Mali have aspired to independence for decades. However, their renewed rebellion in January 2012 can be seen as one result of the recent war in Libya, as Tuareg fighters, settled in Libya or recruited as mercenaries by Gaddafi, returned to Mali after his defeat having acquired both arms and military training.

6. In this respect, the Assembly, recalling the importance of the full implementation of United Nations Security Council Resolution 2017 (2011), calls upon the Libyan authorities to take all necessary steps to prevent the proliferation of arms and related materiel of all types, in particular man-portable surface-to-air missiles, to ensure their proper custody, and to meet Libya's arms control, disarmament and non-proliferation obligations under international law, through the full implementation of their plans in this regard.

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1. *Assembly debate* on 24 January 2013 (7th and 8th Sittings) (see Doc. 13107, report of the Committee on Political Affairs and Democracy, rapporteur: Ms Woldseth). *Text adopted by the Assembly* on 24 January 2013 (8th Sitting).

7. The Assembly welcomes the fact that Tuareg rebels have recently renounced their independence aspirations in favour of political autonomy within Mali, declaring their readiness to help their former opponents in the fight against the terrorists. In this context, the Assembly considers that the Tuareg rebels' decision constitutes a constructive dynamic to be encouraged with a view to a peaceful, political settlement of the regional conflicts.

8. On the other hand, the Assembly is concerned that the terrorist cells which have infiltrated Mali in recent months reportedly originate from all over the world.

9. The Assembly is also concerned that the continuing escalation of the civil war in Syria, in the absence of any efficient international solution, which should be based on the Geneva communiqué on Syria, constitutes a further dangerous flashpoint.

10. The Assembly condemns the terrorist attack on the Algerian gas plant in In Amenas in January 2013 and deplores the deaths of dozens of hostages, including nationals of Council of Europe member and observer States and States whose parliaments enjoy partner for democracy status. This tragedy reminds the international community of the continuing threats posed by the scourge of terrorism, and the need for an efficient international response, including the suppression of the sources of financing of terrorist groups.

11. The Assembly acknowledges that for many years the Algerian Government and people have suffered the most violent attacks on their territory from terrorists with an absolutist ideological agenda and understands, therefore, why in the emergency situation in the gas plant they responded robustly to terrorists with whom there was no prospect of serious negotiation.

12. The Assembly acknowledges the Algerian security forces' counter-terrorist activities and the continuing threat posed by al-Qaeda in the Islamic Maghreb (AQIM) and associated groups. European governments should continue to assist the Algerian authorities in countering terrorist threats in the region.

13. The Assembly recalls that the Council of Europe has drawn up a comprehensive set of legal instruments to be used in combating terrorism and its financing, including in particular the European Convention on the Suppression of Terrorism (ETS No. 90 as revised by ETS No. 190), the Council of Europe Convention for the Prevention of Terrorism (CETS No. 196), the Council of Europe Convention on the Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS No. 198), as well as the Committee of Ministers' "Guidelines on human rights and the fight against terrorism" and "Guidelines on the protection of victims of terrorist acts". It calls on Council of Europe member and observer States to make full use of these instruments in co-ordinating their actions against terrorism.

14. The Assembly strongly condemns the continuing and shocking human rights violations perpetrated by the radical Islamist rebels in northern Mali, including extrajudicial killings, torture, rape, amputations, arbitrary detentions, forced disappearances and recruitment of child soldiers. It notes that human rights violations have also been committed in government-controlled areas and urges the Malian army and its supporters to refrain from any violent reprisals when they start regaining control in the north.

15. It notes that a report recently published by the Office of the United Nations High Commissioner for Human Rights (OHCHR) stresses that women and young girls in particular have undergone degrading treatment in the north, including harassment, abuse and sexual violence by radical Islamist rebels, often perpetrated in front of family members, based on accusations of being improperly veiled or dressed.

16. The Assembly welcomes the recent decision by the Prosecutor of the International Criminal Court formally to open an investigation into alleged crimes in Mali – including murder, rape and torture – with a focus on the northern part of the country, having determined that some acts of brutality and destruction may constitute war crimes. Following a thorough and impartial investigation, perpetrators must be brought to justice and held accountable for the crimes they have committed.

17. The Assembly is also concerned about the humanitarian consequences of the conflict in Mali: hundreds of thousands of civilians have fled Mali to neighbouring countries or have been internally displaced throughout 2012. Further displacements took place in January 2013. The Assembly calls on Council of Europe member and observer States to provide concrete support to the relief efforts of the Office of the United Nations High Commissioner for Refugees (OHCHR) in Mali and neighbouring countries. It also asks them to participate actively in the donor conference for the defence of Mali, to be held in Addis Ababa on 29 January 2013.

18. Noting that the conflict escalated after a military coup and the collapse of democratic institutions, the Assembly joins the United Nations Security Council in calling on the transitional authorities in Mali to finalise a transitional roadmap, through inclusive political dialogue, in order to restore constitutional order and the country's national unity, including through the holding of peaceful, credible and inclusive presidential and

legislative elections, as soon as technically feasible. The Assembly believes that only a reconciliation process can ultimately provide the response not only to the current human rights, humanitarian and security challenges in Mali, but also to the long-standing and unresolved problems in the region. To this end, the Assembly calls on neighbouring countries to give their support to a political process and pursue their active commitment in favour of preserving security and the territorial integrity of Mali.

19. Finally the Assembly notes that the terrorist attacks in Mali and Algeria are part of a wider swathe of Islamist terrorism in the Sahel which extends as far as Nigeria, with the atrocities committed by Boko Haram in northern Nigeria. Although there are different national characteristics, the root motivation is similar throughout the region. The Council of Europe member and observer States, and States whose parliaments enjoy partner for democracy status, should be ready to assist countries in the region, when requested, to combat this scourge. Such assistance may involve military intervention authorised by the United Nations Security Council, including the provision of military assets and training and continued development aid, but ultimately lasting stability can only be achieved by a political roadmap leading to national reconstruction, enhanced democracy and respect for human rights.