



Security Council

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Letter dated 15 May 2023 from the Permanent Representative of Mali to the United Nations addressed to the President of the Security Council

Upon instructions from my authorities, I have the honour to transmit herewith communiqué No. 052 of 13 May 2023 from the Government of the Republic of Mali (see annex), concerning the report on the events in Moura from 27 to 31 March 2022, which was published on 12 May 2023 by the Office of the United Nations High Commissioner for Human Rights.

I should be grateful if you would have the present letter and its annex brought to the attention of the members of the Security Council and issued as a document of the Council.

(Signed) Issa **Konfourou**
Ambassador
Permanent Representative



Annex to the letter dated 15 May 2023 from the Permanent Representative of Mali to the United Nations addressed to the President of the Security Council

Communiqué No. 052 of the transitional Government

The transitional Government has read with close attention the report on the events in Moura from 27 to 31 March 2022, which was published on 12 May 2023 by the Office of the United Nations High Commissioner for Human Rights (OHCHR).

The transitional Government vehemently denounces this biased report, which is based on a fictitious account and does not abide by established international standards. For that reason, the Government never deigned to comment while it was being drafted.

Following the successful airlanding operation conducted in Moura by our valiant armed forces, at the request of the transitional Government, the military justice system decided to open a judicial investigation in order to shed light on possible cases of human rights violations. This is precisely the measure recommended in the OHCHR report.

In view of this, one might question the timing of this publication, which recommends that the transitional Government take a decision that it made more than a year ago, and whether it is not intended to disturb the peace in Mali in the run-up to a referendum of vital importance to the ongoing rebuilding process.

Following the events in Moura, in accordance with the prevailing process in Mali, an investigation was opened to bring to light the truth regarding the allegations of human rights violations. On 9 April 2022, a judicial site visit was carried out by the public prosecutor's office of Mopti. The initial findings of the investigation pointed to the theory that a clash had resulted in a number of deaths from projectiles, and noted that the vast majority of the bodies were adult males.

In security terms, it is clear to all that the military intervention of the Malian Armed Forces was beneficial and has brought considerable peace to the people, a sign that the defeat inflicted on Katiba Macina and its sponsoring foreign States has resulted in their permanent disruption. No Moura civilians lost their lives during the military operation. The only deaths were among terrorist fighters, and all of those arrested were handed over to the Sévaré Gendarmerie. After investigation, those arrested were transferred to the judicial investigation service of the National Gendarmerie of Bamako, before being handed over to justice officials.

The investigation is ongoing, and the Government of Mali is determined to bring this process to a conclusion, with full respect for human rights and in a completely independent manner.

However, it is important to point out that the investigation has required more extensive procedural steps, which are currently being taken. The time frames needed to uncover the truth must be respected, both to protect the investigation from media influence and manipulation and to give the independent investigators time to conduct their analysis and formulate their conclusions at an appropriate pace.

In addition to the investigation carried out by the Ministry of Defence and Veterans' Affairs, a judicial investigation has been opened under the responsibility of the specialized judicial unit. The outcomes of these investigations will be made public at the national level in due course.

The transitional Government has reviewed the methodology that guided the drafting of the OHCHR report and was astonished to learn that the fact-finding mission used satellites over Moura to obtain images.

The transitional Government informs the nation and the international community that at no time did the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) or OHCHR request authorization to take satellite images of Moura.

By using satellites to obtain images, without authorization and without the knowledge of the Malian authorities, the fact-finding mission carried out a covert operation against the national security of Mali.

As a result, the transitional Government has decided to open a judicial investigation immediately against the fact-finding mission and its accomplices for espionage and violation of the external security of the State, which are crimes punishable under the Penal Code (arts. 33 and 35), as well as for military conspiracy, a crime punishable under the Military Justice Code (art. 130), without prejudice to the categorization used by the judicial authorities.

The transitional Government points out that the attitude of the fact-finding mission is similar to a case of espionage in which the French junta illegally situated a drone above the Gossi base on 20 April 2022 to film human corpses that had been painstakingly laid out in advance, with the aim of accusing the Malian Armed Forces.

Mindful of respect for human life and dignity, the transitional Government has repeatedly warned against the use of MINUSMA and human rights to stifle the growing strength of the Malian defence and security forces and to oppose the country's strategic choices.

In this context, it is contradictory and paradoxical to note the speed with which the fact-finding mission was set up at the time that Mali was complaining to the Security Council on 15 August 2022 about the acts of aggression committed against the sovereignty and territorial integrity of a State Member of the United Nations by the French junta, with evidence of flagrant and repeated violations of its airspace and of espionage, for having gathered intelligence for terrorist groups operating in the Sahel and dropped arms and ammunition to them. It should be recalled that these groups are the main perpetrators of serious and massive human rights violations.

No fact-finding committee was set up following the complaint by Mali. To date, there has been no follow-up regarding the special meeting requested by Mali to present evidence of the duplicity of the French junta. Therefore, for the sake of consistency and to avoid double standards, the Government of Mali considers that the follow-up to this report of the fact-finding mission cannot be considered separately from the complaint brought by Mali before the Security Council against the French junta.

The transitional Government, under the leadership of Colonel Assimi Goïta, Transitional President and Head of State, reiterates its commitment to respecting and protecting the human rights of all citizens throughout the country. Moreover, it expresses its determination to continue its rebuilding work for a return to a peaceful and secure constitutional order.

The transitional Government urges the people of Mali to remain vigilant and calm in the face of desperate attempts to disinform, denigrate and destabilize that are disguised as human rights and for inhuman interests.

May God bless Mali and protect Malians.

Bamako, 13 May 2023

(Signed) Colonel Abdoulaye **Maiga**

Knight of the National Order

Minister of State

Minister of Territorial Administration and Decentralization

Government Spokesperson
