

# Africa

Brilliant Mhlanga, Inga Thiemann,  
Paige Wilhite Jennings, Laura A. Young



MOROCCO

TUNISIA

ALGERIA

LIBYA

EGYPT

Western Sahara

MAURITANIA

MALI

NIGER

ERITREA

SENEGAL

THE GAMBIA

GUINEA-BISSAU

GUINEA

BURKINA FASO

CHAD

SUDAN

DJIBOUTI

SIERRA LEONE

CÔTE D'IVOIRE

GHANA

BENIN

TOGO

NIGERIA

CENTRAL AFRICAN REP.

SOUTH SUDAN

ETHIOPIA

LIBERIA

CAMEROON

SOMALIA

SÃO TOME AND PRÍNCIPE

EQUAT. GUINEA

GABON

REP. OF THE CONGO

DEM. REP. OF THE CONGO

UGANDA

KENYA

RWANDA

BURUNDI

INDIAN OCEAN

ATLANTIC OCEAN

ANGOLA

TANZANIA

ZAMBIA

MALAWI

MOZAMBIQUE

MADAGASCAR

NAMIBIA

BOTSWANA

ZIMBABWE

SWAZILAND

LESOTHO

SOUTH AFRICA

# East Africa

Laura A. Young

**E**ast Africa and the Horn were characterized in 2013 by increasing concern over extremist activities, including violent attacks across the region. The threat of extremism has in some instances led regional governments to use the rhetoric of anti-terrorism as a justification for human rights violations against minority groups. In Kenya alone, since 2011, there have been more than 30 attacks on civilians that have led to the deaths of more than 75 people. The highest profile attack took place in September 2013 in Nairobi when Somalia-based al-Shabaab militants attacked a shopping centre. The group claimed that the attack was in retaliation for Kenya's military intervention against al-Shabaab in Somalia.

Recourse to the rhetoric of anti-terrorism has raised the spectre of hate speech in the region, an issue that has confronted minorities and indigenous peoples for many decades. The legal and policy framework in relation to hate speech and hate crimes has been rapidly evolving over the past decades in East Africa. In the aftermath of the Rwandan genocide, as well as other outbreaks of ethnic and religious targeting, several countries drafted legislation to prohibit ethnic and religious incitement. However, these laws have raised concerns about freedom of speech and have sometimes been used by states to target political opposition. Rwanda's law on Punishment of the Crime of Genocide Ideology is one of the most controversial in the region. The law was criticized for several years because of its broad sweep, chilling effect on legitimate speech and lengthy jail sentences. In 2013, the law was amended to reduce penalties and narrow the scope of punishable offences. However, it remains illegal in Rwanda to refer to ethnic groups directly, a prohibition that is very problematic for minorities and indigenous peoples who wish to advocate for their rights

based on ethnic discrimination.

Land rights and participatory development continued to be a major concern for minority and indigenous groups in East Africa and the Horn, as large-scale development and natural resource exploitation projects moved ahead in multiple countries, including the Gibe III dam in Ethiopia, the Lamu Port project in Kenya, industrial-scale farming in South Sudan and Ethiopia, and oil exploration in Kenya and Uganda. (See *State of the World's Minorities and Indigenous Peoples 2013* for more on these projects.) The rhetoric of development can also have damaging impacts on communities in East Africa, similar to the consequences of hate speech. When communities who resist appropriation of their lands or natural resources are characterized as 'backward', 'anti-development' or 'unpatriotic' because they do not support government plans to alter their way of life and their environment, this opens them up to discrimination and backlash from other communities. This is often an issue for pastoralists and hunter-gatherer communities whose traditional livelihoods are described as being incompatible with modern African development.

## Ethiopia

Prime Minister Hailemariam Desalegn completed his first year in office in August 2013 and continues to lead the government through the Ethiopian People's Revolutionary Democratic Front (EPRDF), an alliance of several regionally based political parties that together holds the vast majority of seats in the Ethiopian parliament. Desalegn has largely continued the policies of his predecessor Meles Zenawi, in the process reducing democratic space and increasing dissatisfaction among the country's diverse population. Repression of ethnic communities such as Oromo, seen to oppose the political dominance of the EPRDF, continued in 2013.

Members of the Muslim minority in Ethiopia engaged in nationwide demonstrations during 2013 over what was seen as increasing government interference in Islamic religious affairs. Protests were sparked by the arrests of several members of a committee nominated by the Muslim community to raise minority rights grievances with the Ethiopian government.

Although most demonstrations were reportedly peaceful during 2013, towards the end of the year the government increasingly cracked down on protesters, leading to allegations of excessive use of force by police and a number of deaths in the Oromia region in August. There have been concerns that the protest movement is being unfairly linked with Islamic extremists through government statements and state-run media reporting.

Ethiopia's long-running conflict with the Ogaden National Liberation Front continued, with government gains leading to enhanced potential for a peace deal. The Ogaden region is home primarily to ethnic Somalis, who are a cultural and religious minority in the country. Ogadenis are the largest Somali clan in the region, many of whose sub-clan groups straddle the borders with Kenya, Ethiopia and Somalia. Kenya is attempting to mediate the talks to bring an end to the decades-old conflict based on secessionist demands in the region.

Significant concerns about large-scale land appropriation affecting minority groups, primarily pastoralists and fisher peoples living in Ethiopia's Lower Omo Valley and in the Gambella region, also continued in 2013. Population displacements have been carried out by the Ethiopian military in order to clear land for development of the Gibe III dam and for agricultural plantations. Communities have reported widespread human rights violations during the resettlement programme. (See *State of the World's Minorities and Indigenous Peoples 2012* for more information on the Gibe III dam.)

In theory, the country's legislation offers protection against hate crime and hate speech. Ethiopia's 2004 Penal Code Art. 486(b) prohibits any act – including speech – that 'foments dissention, arouses hatred, or stirs up acts of violence or political, religious, or racial disturbances'. However, instead of protecting vulnerable groups, this legislation has been used to prosecute political opponents and members of ethnic minorities or out-groups, such as the Oromo community. There are also concerns that Ethiopia's anti-terrorism law has become a means of silencing minority and indigenous groups who raise human rights concerns. For instance, Ethiopia's minority Muslim population has been

targeted under this law in the past few years.

## Kenya

Kenya witnessed a number of major political and social events in 2013, all with important implications for the issues of hate speech and hate crimes in the nation. The year began in March 2013 with the first elections since the adoption of the 2010 Constitution. As a result of widespread hate speech and ethnic incitement during the previous election period in 2007, resulting in attacks and displacement for many minority and indigenous communities, there were major initiatives across the country to curb such behaviour in 2013. While the 2013 election was relatively peaceful, the September assault by al-Shabaab insurgents on the Westgate shopping mall in Nairobi resulted in numerous deaths and a backlash against the country's Somali minority.

Though violence and incitement are recurring problems for Kenya, endangering minority and indigenous communities and – at a broader level – national stability, the country has also developed a number of legal instruments that condemn and punish hate speech and hate crimes. Article 33(1) of the 2010 Constitution guarantees freedom of expression, but not when that expression constitutes incitement to violence, hate speech, or advocacy of hatred that (i) constitutes ethnic incitement, vilification of others or incitement to cause harm; or (ii) is based on any ground of discrimination. Similarly, Cap. 36, Section 96 of Kenya's Penal Code prohibits incitement to violence, specifically words or acts that are calculated 'to bring death or physical injury to any person or to any class, community or body of persons; or to lead to the damage or destruction of any property'. Finally, Section 13(1) of the National Cohesion and Integration Act states that:

*'a person who [uses speech or an act] which is threatening, abusive or insulting or involves the use of threatening, abusive or insulting words or behavior commits an offence if such a person intends thereby to stir up ethnic hatred, or having regard to all the circumstances, ethnic hatred is likely to be stirred up.'*

The legislative framework has been used by

minority groups to address what they viewed as harmful speech. The Kenyan NGO Muslims for Human Rights (MUHURI) brought a case of hate speech in 2012 against a politician who was accused of statements that could have incited violence between communities at the Coast; the case was ultimately dropped after the National Cohesion and Integrated Commission (NCIC) mediated and the speaker issued an apology. Another politician was also charged in 2012 with hate speech and suspended from his government post after calling Maasai thieves, stating that they were not welcome in the area, and encouraging their eviction and mass arrest. He ultimately apologized to the Maasai community after his remarks were widely condemned.

In advance of the 2013 elections, police and civilians were trained to monitor and record evidence of hate speech during campaigning, with a designated phone number established to report incidents. Despite being relatively peaceful, instances of hate speech were recorded by many organizations. The Umati project, established to monitor hate speech online during the election period, found that at least a quarter of the more than 5,600 online hate speech statements recorded were ‘dangerous’ because they contained ‘a call to kill, to beat and/or to forcefully evict a particular group, or an individual because of their belonging to a particular group’. Although the project monitored hate speech targeting major ethnic groups (Arabs, Asians, Kalenjin, Kikuyu, Luhya, Luo, whites) and major religious groups (Christians, Hindus and Muslims), disaggregated data was not available. Moreover, data on hate speech against particularly vulnerable minority and indigenous groups in Kenya outside of the election period is not available. There are also ongoing challenges to translate these efforts into effective action against hate speech. The NCIC, for example, has been criticized for the small number of legal actions that have been launched so far against online perpetrators.

In May 2013, Kenya’s Truth, Justice and Reconciliation Commission (TJRC) released its final report. The TJRC had a mandate to address historical marginalization of communities and land rights, as well as inter-ethnic conflict.

In a positive development, the TJRC report contained an entire chapter on minorities, indigenous peoples and gross violations of human rights, as well as two chapters on ethnic conflicts. The TJRC discussed negative portrayals of minority communities including misrepresentations of the history of various communities in official documents, reference to communities in derogatory terms, and portrayals of indigenous peoples in particular as poor and backward. The TJRC also noted that colonial policies, such as ethnically defined territorial boundaries, ‘magnified the differences between the various communities and regions, and stereotyped each community in a manner that would sow suspicion, hatred and the sense of otherness’. The TJRC highlighted the role of these representations not only in perpetuating the economic marginalization of some communities, but also in driving incidents of hate crime, such as the mutilation of genitalia of men from communities that do not practise circumcision.

In September 2013, the trial of Kenya’s Deputy President, William Ruto, and his co-defendant Joshua arap Sang opened at the International Criminal Court. The case relates to the accused’s role in the electoral violence in 2007–8. Specifically, Sang is accused of using his radio programme, which aired in the Kalenjin language, to incite violence against other ethnic communities perceived to be political opponents. The trial is ongoing.

Also in September 2013, al-Shabaab insurgents attacked the upscale Westgate shopping centre in Nairobi, killing more than 60 people. After the attack, the Somali and broader Muslim minority communities in Kenya called for tolerance and demanded that all Muslims should not be linked indiscriminately with al-Shabaab and violent incidents. The Kenyan-Somali community, which had been targeted in the past few years with threats to forcibly relocate thousands of urban refugees into camps in the far north of the country, expressed particular concerns about a backlash. Earlier in 2013, human rights groups reported that refugees were subjected to weeks of police abuses in advance of the planned relocation, including being called ‘terrorists’, though the government plan to move refugees to camps was ultimately stopped

by the Kenyan courts. Indeed, in the wake of the Westgate attack, Kenyan Somalis reported being subjected to excessive security checks and verbal abuse from passers-by, such as being called 'al-Shabaab'. Police harassment of Somalis and Muslims intensified again after Westgate, with documented instances of police abuse in Mombasa including round-ups, beatings, and death threats against those suspected of having connections with extremism.

More violence and ethnic killings in the Tana River region that had started the previous year spilt over into 2013. Pokomo and Orma communities continued the massacres in bloody revenge attacks in January 2013, with hate speech and rumour-mongering deemed one of the causes.

Indigenous peoples' land rights continued to be a major concern in Kenya. In particular, evictions of hunter-gatherer communities including Ogiek and Sengwer – by private land grabbers and by the government – continued during the year. Both communities took legal action, with the Sengwer filing a case in a domestic court in Kenya seeking recognition of their rights to their traditional lands. The Ogiek had previously filed numerous legal cases in Kenyan courts and ultimately brought a communication to the African Commission on Human and Peoples' Rights, with the assistance of Minority Rights Group (MRG), in 2009. In 2013, the Ogiek case was referred to the African Court of Human and Peoples' Rights, and the Court issued interim measures demanding that the Kenyan government cease any activities that would transfer Ogiek lands to private individuals and that would cause further destruction of the Mau forest, the Ogiek's ancestral territory. The case is a major test for indigenous rights in the region, and hearings are expected to commence in 2014. The Endorois community continued to advocate for implementation of a 2010 decision of the African Commission on Human and Peoples' Rights that recommended that the government compensate them for their eviction from and loss of access to their ancestral lands. However, there had been no significant steps towards implementation by the government before the end of 2013.

.....  
**Case study**  
.....

# Defending land rights in the face of hate speech

.....

In their efforts to secure their land rights, indigenous peoples regularly become the subject of hate speech and hate crimes. Like other human rights defenders and like many marginalized groups, when they speak out or take other action to defend their rights indigenous peoples find themselves charged with crimes such as incitement to violence, criminal trespass or hate speech. Recently, this issue has been a significant challenge for two of MRG's East African partners, the Ogiek People's Development Programme (OPDP) and the Pastoral Women's Council (PWC).

The Ogiek are a hunter-gatherer community whose traditional territory extends throughout the Mau Forest complex of the Rift Valley in Kenya. They have been dispossessed and displaced from their lands since the colonial era and today are fighting for their land rights at the African Court of Human and Peoples' Rights. For Ogiek families, many of whom have no paper title to the lands on which they reside, evictions and conflicts over access to land and the forest are a regular occurrence. Ogiek are regularly charged with criminal trespass when they attempt to access the forest or land on which they have built homes. In addition, OPDP staff members report that Kenyan officials, whether from the police or local government, often use derogatory language in their interactions with Ogiek communities. During a recent eviction in the Njoro District near the city of Nakuru, OPDP staff described how local police described the Ogiek as 'being used to squatting on other people's lands' and as being a 'poor' community. The latter comment is

## Case study continued

reminiscent of an earlier era in which the Ogiek were widely known as Ndorobo, a derogatory term meaning people who have no wealth in livestock. OPDP staff reported that when community leaders raised the issue of the case at the African Court, they were threatened with incitement and were told that any community member who tries to bring up the African Court case or describes the area as Ogiek land should be arrested.

The effect of this type of speech from government officials is very damaging. First, it undermines the protections that anti-incitement laws and anti-hate speech legislation were meant to provide, by using threats of arrest for incitement to intimidate those with legitimate

human rights grievances. It also provides a type of official sanction for violence against a particular community, such as the Ogiek, suggesting that their defence of their rights and recourse to the courts should be met with violence.

PWC has faced similar challenges in its work defending the land rights of Maasai pastoralists in Tanzania, particularly Maasai women. PWC is a community-based organization working in northern Tanzania and implementing local projects in rural Ngorongoro and Longido districts. Ngorongoro is a leading area for tourism in Tanzania; however, most tourism activities are dominated by private foreign companies with very limited benefit to the indigenous communities. According to PWC



staff members, the organization works with both men and women and sees the impact of hate speech and discrimination across the community when Maasai attempt to advocate for their land rights. Derogatory speech about Maasai from government officials and other communities creates an enabling environment for arrests and harassment. PWC staff report that, during the course of a land rights case against a well-known safari company, community members were threatened with arrest for criminal trespass when they engaged in their traditional livelihood of grazing cattle. Ultimately five Maasai were indeed arrested, although they were found not guilty of trespass because ownership of the land where they were found was the subject of a legal dispute.

Maasai women in particular face double discrimination, because of their membership in an indigenous group and their status as women in a patriarchal society. This double discrimination makes them more vulnerable to hate speech and hate crimes – they may be targeted by men in their community as well as by those outside the community. Women human rights defenders in patriarchal cultures are regularly accused by members of their own community of ‘inciting’ women to reject their culture and may be subjected to physical and sexual violence in retaliation for their advocacy. As described by PWC, arrests of community members in the Ngorongoro region are often accompanied by police harassment, including physical violence, and can be particularly severe for women. In a recent incident near Sukenya Farm that was documented by PWC human rights monitors, a Maasai woman was detained along with several men. When she did not perform the physical humiliation that was ordered by the police, she was beaten in front of the entire group of men – a particularly degrading experience. ■

**Left: Maasai women in Tanzania.**  
*Caroline Penn/Panos.*

## Somalia

The new Somali government gained increasing international diplomatic recognition during 2013, and also continued efforts to gain control over the diverse nation. Military operations against al-Shabaab militants continued, with implications elsewhere in the region, including the attack on the Westgate shopping mall in Nairobi in September (see Kenya section). In November 2013, the mandate of the African Union Mission in Somalia (AMISOM) was extended for another year. Despite calls by the government and international allies for inclusiveness and respect for diversity, there were reports of localized conflicts leading to evictions of minority communities from their lands, particularly in Middle and Lower Shabelle regions.

The continuing weakness of the centralized government of Somalia has meant that clan-based governance and security structures remain hugely important. For minority groups such as Bantu and others, the clan system offers little protection or opportunity, and instead has led to exclusion from mainstream social and political life. Hate speech against minority communities, focused on their appearance and different customs, has enhanced their vulnerability to attacks and other forms of discrimination. In testimony given to MRG, Somali minority interviewees reported hate speech deriving from prejudice and a historical legacy of slavery. Several members of Bantu and occupational minority groups spoke of being routinely insulted with derogatory language and name-calling.

The fight against al-Shabaab also resulted in the ousting of the group from its stronghold in the port city of Kismayo, in Somalia’s Jubaland. Subsequent elections and political negotiations led to the declaration of Ahmed Mohamed Islam as president of the Jubaland region. The region is home to diverse ethnic communities, including populations of Somali Bajuni, Bantu, Boni, Boran, Galjeel and several other groups. Many of these communities are sedentary farmers, in contrast to the majority nomadic pastoralist Somalis. It is not yet clear whether this federalist creation, which has divided opinion, will allow these minority groups, many of whom have long been excluded from mainstream political life in Somalia, greater recognition.



## South Sudan

South Sudan erupted into civil conflict at the end of 2013 after a year in which hate speech and ethnically targeted violence continued to escalate against a backdrop of increasing political tensions. Around 355,000 civilians had been internally displaced by January 2014, according to the Mission for South Sudan (UNMISS), with an additional 78,000 having fled across the border into Kenya, Uganda, Ethiopia and Sudan. Minorities and indigenous peoples often are most vulnerable during periods of conflict and regularly make up higher proportions of displaced people. Many Sudanese Nuba communities, for example, were already residing in refugee camps in South Sudan after fleeing from South Kordofan in Sudan. Since the conflict in South Sudan erupted in late 2013, the situation of Nuba communities has become even more desperate as they are caught in the crossfire between South Sudan factions and also are targeted by government forces from Khartoum.

Many groups, including UNMISS, warned that the prevalence of hate speech and inter-ethnic conflict over the past year indicated that South Sudan is at high risk of mass atrocities. Indeed, accusations of incitement to ethnic violence have been a regular feature of the conflict, leading the African Union to state that it would ‘take appropriate measures, including targeted sanctions, against all those who incite violence, including along ethnic lines’.

South Sudan’s domestic law prohibits hate speech and incitement to violence, such as the publication of information that could incite public disorder or cause offence to persons of a certain ethnic group or tribe, with potential penalties of 1 to 20 years’ imprisonment. However, despite UNMISS recommendations that ‘[h]ate speech and incitement to violence on the grounds of ethnic origin should also be publicly condemned and prosecuted’, hate speech has continued to be widely practised. A particularly volatile area is Jonglei State, where inter-ethnic conflict has been a feature of life since South Sudan’s independence. A recent UNMISS report highlighted the fact that ‘[w]idespread stereotyping, the creation and use of “enemy” images, [and] hate speech amounting to incitement to violence have also exacerbated



**Above:** Murle women sit beside an abandoned tractor near their shelter in Pibor, South Sudan. *REUTERS/Andreea Campeanu.*

the conflicts. This has included messaging about wiping out communities or removing them from their lands.’ UNMISS noted that hate speech had particularly targeted the Murle in Jonglei. In 2013, Murle communities were subjected to revenge attacks by Lou Nuer militias, after Murle youth had been accused of attacks on Lou Nuer communities several months earlier. The continuing actions of the Yau Yau militia, associated with the Murle community, led to a government crackdown and brutal disarmament campaign in Jonglei in 2013. The army occupied the town of Boma in Jonglei, leading to significant concerns among minority groups that they would be forced off their land and subject to other human rights abuses. At the close of 2013, control of Jonglei’s regional capital Bor was in dispute, and thousands of civilians were sheltering in the UN compound in the city.



.....  
**Participatory research** by *Paul Oleyo Longony*  
.....

## The impact of violence on communities in Boma Sub-County, South Sudan

.....

**This research is the result of a month-long participatory research study undertaken by the Boma Development Initiative, funded by MRG with support from CAFOD.**

In December 2013, a confrontation between Dinka and Nuer soldiers quickly

escalated into a major civil conflict between President Salva Kiir Mayardit and former Vice-President Riek Machar. The ensuing violence, which has taken on a strongly ethnic dimension, has resulted in thousands of deaths and widespread displacement. Even before this latest outbreak, however, communities of ethnic Murle in Boma and Pibor have been exposed to the continuous threat of human rights abuses, including arson, physical attacks and sexual assault.

Between February and March 2014, the Boma Development Initiative dispatched a research team, headed by Paul Oleyo Longony, to a number of villages in Boma Sub-County to assess the impact of continued violence on local communities. The research focused on developing a comprehensive picture of the situation for residents by drawing on testimonies from a wide variety of stakeholders, both male and female and

## Participatory research continued

spanning a range of different age groups. Despite ongoing security issues during the research, the team was able to conduct interviews with approximately 40 people and informal discussions with many more. These inform this summary situation report.

The primary focus of the study was the impact of violence and hate speech on the fabric of communities. The findings highlighted that, beyond the immediate impacts, protracted instability in the area has also undermined many other aspects of everyday life, including basic governance. In particular, local information-sharing and decision-making structures are currently in a state of near collapse. The regular practice of cattle rustling by armed militias from other ethnic groups in the area exposes communities to a constant threat of property loss and even death.

Another side effect of insecurity in the area is that many villages in Boma lack access to essential services – a fact that may drive local residents to flee and discourage others from returning to resume their lives. Education has been disrupted as many school children, as well as their teachers, have had to flee the area for their protection. Educational facilities were also looted during fighting between the Yau Yau militia, a Murle insurgent group, and the Sudan People's Liberation Army (SPLA).

Health care, too, is almost non-existent. In the past Boma only had one rural hospital, which served almost the whole of Greater Pibor and neighbouring Eastern Equatoria. However, after fighting erupted between the army and the Yau Yau militia in early 2013, all the facilities in the hospital were destroyed and the wards burned down, with staff evacuated to Juba. Food supplies are another challenge due to the presence of many armed soldiers. As a result, hunger and malnutrition are widespread.

Clean water is another ongoing concern in the area for communities in Boma. Often supplies are collected from stagnant ponds and in some cases communities have moved to other areas in search of water for human and animal consumption. This means that cattle rustling may

take place between different ethnic groups during the dry season, sustained by the proliferation of small arms in the region.

An important first step in addressing the ongoing dynamics of violence and insecurity is to identify the main drivers of conflict in the Boma region. Respondents highlighted a number of factors perpetuating inter-ethnic conflict in the area:

- *Water access:* Inadequate water supply triggers conflict among cattle herders and their neighbours.
- *Grazing land:* During the dry season, most pastoralists seek out green swamp areas for their livestock. In the process, they may come into contact with herders from other ethnic communities – and this is when raiding often occurs.
- *Theft and seizure of property:* many young people traditionally consider raiding animals as a means of generating wealth for their families.
- *Outside conflict:* External tensions between ethnic groups and hate speech in the media, reinforced by local politicians, can also exacerbate insecurity in the region and lead to further conflict.

Addressing these issues requires a variety of different measures. A central issue is the mediation of peace between the different armed groups, including the Yau Yau militia and the rebel forces of Machar, active in the area. Restoring security is essential for community members to resume farming and other essential livelihoods. This should include the full commitment of the SPLA to respect human rights and avoid abuses of any kind, as well as halt the supply of small arms to individuals in the area. At the same time, this needs to be accompanied by the restoration of basic services such as health and education, as well as the urgent supply of humanitarian assistance to alleviate the current gaps in food and other resources. Ultimately, however, there must also be an emphasis on long-term and transformative solutions to improve the situation of minority communities in the region, particularly their participation in government at both the state and national levels. ■

## Uganda

During 2013 Uganda's political situation remained relatively unchanged, with Yoweri Museveni still in power and Uganda contributing troops to peacekeeping efforts in Somalia. Oil finds in the country remained a major issue, with ongoing concerns about management of the oil sector and the impacts on communities.

Uganda's ethnic minority groups and indigenous peoples, such as Batwa, Karamajong, Nubians, Ugandan Asians and others, have reported for many years that they are targets of hate speech and hate crimes on the basis of their culture and ethnicity. Ugandan Batwa are regularly portrayed as poachers or destroyers of the Ugandan forests, despite their long history of stewardship. Such stereotypes are used by state actors and neighbouring communities to justify evictions of Batwa from their traditional lands. Batwa women in Uganda are the subject of multiple stereotypes, including the myth that having sex with a Mutwa woman can cure certain ailments, including HIV.

Uganda's Penal Code prohibits 'promotion of sectarianism' which can be interpreted as a prohibition of hate speech. According to section 41(1), a person engages in the prohibited action when that individual:

*'prints, publishes, makes or utters any statement or does any act which is likely to (a) degrade, revile or expose to hatred or contempt; (b) create alienation or despondency of; (c) raise discontent or disaffection among; or (d) promote, in any other way, feelings of ill will or hostility among or against, any group or body of persons on account of religion, tribe or ethnic or regional origin commits an offence and is liable on conviction to imprisonment for a term not exceeding five years.'*

However, Ugandan laws that could curb denigrating speech and other discriminatory practices are often in practice not being used to protect minority and indigenous rights.

With limited avenues for legal redress, Ugandan minority and indigenous communities have adopted other avenues of recourse. Batwa communities in Uganda have created drama programmes that highlight common stereotypes



**Above:** Batwa women in Uganda. *Emma Eastwood/MRG.*

about Batwa and work to counteract them. For example, several international partners worked with Batwa in Kabale district of Uganda to create an educational play and video called *Neitwe Tury'abantu*, or 'We are People Too' in an attempt to dispel the stereotype of Batwa as sub-human.

.....  
**Case study**  
.....

# Legislating against and countering hate speech in East Africa

.....

**East Africa and the Horn has been one of the most volatile regions in the world in recent years. Several states have passed legislation that addresses hate speech, trying to clamp down on incitement to violence, but according to Article 19's Director for Kenya and Eastern Africa, Henry Maina, these laws often end up punishing minorities instead of protecting them. He discusses some of the challenges in implementing these measures and urges a more holistic view in order to effectively address hate speech in the region.**

## **How has legislation on hate speech in the region evolved over the past few years?**

Most countries in the region are signatories to the International Covenant on Civil and Political Rights (ICCPR) which requires them to prohibit incitement to violence, hatred or discrimination. State understanding of this prohibition has simply been equated to criminalization, without understanding the effect that this could have. Most legal provisions in the region have been borrowed from ICCPR Articles 19 and 20, but they tend not to take a holistic approach. This can have negative effects on minority and indigenous groups who need the protection most. For example, Uganda and Rwanda have introduced aspects of sectarianism into their laws, a concept which is not well-defined. They make sectarianism equivalent to advocacy – any group of people that begins organizing and advocating for their rights is accused of sectarianism. Also, because these criminal laws often were written long ago, no one envisioned incitement based on

linguistic minority status, gender or disability. For example, incitement against Asians in East Africa is rarely dealt with under these laws. In Kenya, we monitor only incitement related to the large ethnic groups, such as Luos, Kalenjin and Kikuyus, but no one is thinking that this is more than just about the politically powerful ethnic groups. There are many other grounds of discrimination that are not being looked at – the intersection of gender and ethnicity, for example.

## **Is legislation on hate speech and incitement used effectively to protect minority groups?**

I can't say so definitively. When you think through these processes, countries primarily see their role as prohibiting incitement, but they do not see their obligation going beyond that; they don't see the protection angle. This is because the very nature of these laws in the region, and everywhere, does not include a clear understanding of what hate speech is. Accordingly, it can be defined in the way that the state authorities want. It's not effectively protecting the groups that are targeted by such dangerous speech. There is too high a risk of the state and majority groups joining hands in punishing so-called hate speech, then minority and indigenous groups suffer doubly.

Laws are necessary but they should be refined so as to deal with multiple grounds of incitement – it's not just what the Convention on the Elimination of All Forms of Racial Discrimination (CERD) or the ICCPR says, but it needs to go beyond these instruments and develop more clarity in the East African context about what exactly constitutes incitement to violence, discrimination and, ultimately, incitement to genocide. Criminal law is not always the best solution – we can't wait for these things to happen and then punish the perpetrators, because the results of incitement to genocide can never be repaired. At Article 19 what we've done is to get involved with the Office of the High Commissioner for Human Rights (OHCHR) process on Article 20, so as to continually make the important links between opportunities for expression and stopping incitement and hate speech.

## What role do you think the press and other institutions play in countering hate speech in relation to minority and indigenous groups?

Article 19 has developed a document called the Camden Principles where we clearly specified the role that different actors ought to play in a context that is susceptible to incitement. An example is that if two people were to fight here in Mathare (a slum in Nairobi), and these two persons happen to be of different ethnicities, there is a high likelihood that if the press reported the story of the fight, those ethnic groups would immediately be mobilized to revenge attacks. So under these principles the media is cautioned on when to ascribe ethnic identities or gender identities in their stories, unless it is critically necessary to the coverage, because of the high risk of incitement.

Other institutions also have important roles to play. In volatile contexts, there also need to be opportunities for people to be heard, especially minority groups, instead of speech being suppressed totally. We also need to think about what else needs to be done in schools, workplaces and other contexts that help us appreciate ‘the other’; this is not something that the law can necessarily do. The OHCHR has developed the Rabat Plan of Action, which goes beyond criminal law with other strategies. We need to work with the judiciary, schools, faith institutions and the private sector – all sectors of society. There needs to be an alliance between mainstream and marginalized groups to protect freedom of expression for all groups.

Along those lines, different United Nations mandate holders should all work together on freedom of expression as a cross-cutting issue. We must push intergovernmental and regional human rights bodies such as the African Commission, especially its Working Group on Indigenous Groups and Populations for example, to address freedom of expression as an issue that impacts minority and indigenous rights. Otherwise we end up punishing minority and indigenous groups for expression via the laws that were meant to protect them. ■

# Southern Africa

Brilliant Mhlanga and Inga Thiemann

Hate speech and hate crime remain difficult issues in Southern Africa, where the legacies of colonialism and apartheid embedded concepts of racial difference and tribalism. In 2013 South Africa took steps towards identifying hate crime as a legal offence, but it remains to be seen how well this will be implemented in practice. Most other Southern African countries still lack specific hate crime legislation and only have laws addressing racially motivated crimes.

San communities throughout Southern Africa face continued discrimination in education, land rights and cultural practices. In Botswana, for instance, following their eviction from their ancestral lands in the Kalahari, displaced communities struggle to access livelihoods and suffer a range of health challenges, including HIV. However, San also achieved some milestones in 2013. San representatives attended the Southern African Development Community (SADC) Civil Society Forum and raised their concerns. As a result the summit’s final communiqué contains a section on indigenous rights as well as provisions for change, including a call for support of the 2012 Gobabis Declaration of the San Peoples.

## Namibia

Land rights and official recognition of traditional authorities remained the most contested issues for minority and indigenous communities in Namibia in 2013. The communal lands of San and Himba are under continuous threat of encroachment by larger or more powerful groups, despite a prohibition against the erection of fences within communal land areas under the Communal Land Reform Act.

In 2013, a large number of cattle herders moved into the N#u Jaqna Conservancy area and fenced off land. This unlawful land grabbing has affected the San community’s ability to access



**Above:** San women dancers in South Africa.  
*James Oatway/Panos.*

veld food, which plays a vital part in providing food security, particularly to the !Kung San in this area. Ongoing drought has forced many cattle farmers to search for additional grazing areas as available grazing in communal areas has reduced dramatically. This scarcity has been amplified by local elites fencing off areas in other regions for their own purposes.

Following his visit to Namibia in October 2012, James Anaya, the UN Special Rapporteur on the rights of indigenous peoples released a report in April 2013 which highlighted the

Namibian government's failure to halt the invasion of San lands. However, on 10 June 2013, the authorities stepped in: Inspector-General Sebastian Ndeitunga of the Namibian police condemned the illegal fencing taking place at the N#u Jaqna Conservancy and ordered the removal of the fences. The following month some fences were removed, and in August the High Court ordered court documents to be served on a group of 32 farmers, following a suit by the N#u Jaqna Conservancy Committee.

Indigenous peoples in Namibia also raised their concerns regarding their access to political participation. San and Himba communities have felt excluded from decision-making



processes at local and national levels due to their ethnic identities. Himba leaders continue to be marginalized as many of their leaders have not been acknowledged as official traditional leaders. The Namibian government has so far neither recognized all legitimate indigenous authorities selected through traditional decision-making processes, nor ensured their adequate representation at local and national levels.

Both Himba and San children also continue to face discrimination at school. Besides not being allowed to wear traditional clothes, they are not taught in their mother tongue. As a result, San and Himba lag behind in educational attainment in comparison with other groups. As noted by

the Special Rapporteur, only 7 per cent of San children are enrolled at the junior secondary level, and less than 1 per cent in senior secondary schools. Limited health education, coupled with poverty and lack of access to traditional resources, also continues to affect the health of these indigenous groups.

The Namibian legislation does not include specific provisions on hate crimes or hate speech. Ethnically motivated types of hate crime are covered under the Racial Discrimination Prohibition Amendment Act 1998, although its application is both inconsistent and limited in scope. Deputy Minister of Mines and Energy Willem Isaack used tribally abusive language against police officers in the Berseba region while attending an unauthorized event by a tribal group that has been ruled not to be the authentic authority of Berseba. There have been investigations into the case and he may be charged under the Act. The UN Committee on the Elimination of Racial Discrimination had previously urged the Namibian government to take firm action against stigmatizing language, especially by politicians.

There have also been some incidents of potentially inflammatory language against white Namibians. Groups sang the controversial 'Kill the Boer' at the inauguration of the Okahao Baobab National Heritage Site in May. Among the visitors at the event was Founding President Sam Nujoma; human rights groups have previously gathered other examples of hate speech by Nujoma supporters.

Hate crime has also been perpetrated by white Namibians against black Namibians. In June, a young black man was beaten up severely after having been refused entrance to a bar on grounds of his skin colour. This caused a debate about racism and hate crime in Namibia, prompting Prime Minister Hage Geingob to state that white racists within the country should 'pack up and go'. Geingob was criticized by the NGO NamRights and some national newspapers for condemning white against black racism but staying silent about other ethnically motivated attacks, as well as for ignoring the right to a fair trial.

## South Africa

In the year of the centenary anniversary of the infamous 1913 Land Act, which excluded the



.....  
Case study by Peter Grant  
.....

# Addressing the vulnerability of South Africa's migrant communities

.....

**South Africa's relative wealth and economic opportunities have for many years attracted migrants from other countries in the region, such as Zimbabwe, Lesotho and Mozambique, to live and work in the country. However, the outbreak of anti-migrant riots in 2008, beginning in Johannesburg and spreading to other cities across the country, left at least 62 people dead and highlighted the ongoing stigmatization that foreign residents face. Attacks against migrants have continued, though on a smaller scale, including a number of apparently targeted killings of Somalis during 2013. In this context, the organization People Suffering Oppression and Poverty (PASSOP) has set up a range of initiatives, including anti-xenophobia help desks, to address the rights gaps and exclusion that underline the vulnerabilities of South Africa's migrants. Braam Hanekom, Director of PASSOP, talked to MRG about the organization's work to support the integration of these communities.**

## **What are the main obstacles to integration that migrant communities face in South Africa?**

Refugees, asylum seekers and immigrants are exposed to hardships, discrimination and violence. In South Africa they are often treated as second-class citizens, denied access to justice and refused even their most basic rights. This group of undocumented immigrants is acutely under-represented in labour unions, civil society and community activism efforts, and not represented

at all politically. They often live in desperate conditions, making them among the most easily and widely exploited individuals in South Africa, and are often made the victims of targeted hate crimes and xenophobic aggression.

## **Do you think that hate crime against migrants has reduced since 2008 or is much of it simply not acknowledged?**

It is unfortunate that it takes incidents like the 2008 riots or the 2009 attacks to bring attention to the plight of migrant communities in South Africa. Hate crimes aren't always so overt as these well-publicized incidents; they are often much less sensational or even unreported and, as such, often go unnoticed by much of South Africa. Even those that are reported are sometimes brushed under the rug by those in a position to affect change. It is every person's right to safety and dignity in this country and it is a shame that these incidents are often ignored. It is difficult to quantify how many isolated incidents take place because many go unreported. This is part of the impetus behind opening the help desks in at-risk communities. We hope these desks will provide a safe space where victims of xenophobia and hate crimes can report these incidents and begin a dialogue to work towards peace.

## **What do you think is driving this phenomenon?**

At PASSOP, we believe that it is a lack of understanding and dialogue that provides a toxic environment where hate crimes and discrimination are more likely to occur. Stereotypes about different nationalities unfairly paint migrants with a broadly negative brush. These stereotypes are further perpetuated by the media and when the only press about a certain group is bad press, whether or not it is rooted in fact, these negative attitudes towards these groups begin to permeate society. In order to combat these stereotypes, we aim to open channels of conversation to spread a better understanding of migrant communities. It is important that migrants are represented accurately and given a chance to prove themselves without being pre-judged based on faulty media representations. The lack of access to health care,

education and labour adds to these negative stereotypes. If they [migrants] are provided with access to these basic rights, they will be better situated to change their circumstances and break these negative stereotypes.

### **What is PASSOP's approach to improving the situation of migrant communities in the country?**

Our goal is to create and strengthen networks of communication, dialogue and interchange to promote peace, understanding and justice in local communities. Our mission is to empower communities to stand up and express their beliefs, needs and fears freely, and access the rights they are entitled to. PASSOP believes that this can be achieved through basic rights education, activism, integration and community participation. We directly assist individuals by offering paralegal advice on documentation issues, the asylum-seeker process and labour disputes. We also assist with CV building and job placement. More broadly, we aid the immigrant community by holding integration events and workshops to promote dialogue and understanding between different nationalities and immigrant communities. We also have a number of branches directly embedded within the communities of De Doorns, Masiphumele and Imizamo Yethu. These branches help to promote integration and to monitor the area for xenophobic activities and provide a safe space for victims to report incidents.

### **What have been the results of your work?**

PASSOP continues to provide a voice for migrants who often find themselves unrepresented otherwise. We have made great strides towards increased understanding and dialogue between South African and migrant communities. We will continue to create spaces for these dialogues in the future until hate crimes and discrimination are a thing of the past. We hope to garner more funding so we may expand our projects and increase the number of migrants we are able to interact with each day. ■

black population from ownership of 87 per cent of the country, land rights and land distribution remain contested issues in South Africa. After the end of apartheid, white commercial farmers owned almost 70 per cent of the agricultural land and leased an additional 19 per cent. The African National Congress (ANC) promised the redistribution of 30 per cent of white-owned agricultural land and the restitution of land lost due to discriminatory legislation by 1999. The policy put in place worked on the basis of a 'willing seller, willing buyer' (WSWB) principle, but white land-owners were reluctant to sell to the state. The government's aim of redistributing 30 per cent of farmland by 1999 failed, with less than a third of this target reached. Nonetheless, the South African government resisted calls for expropriation without compensation, and instead replaced WSWB with expropriation through 'just and equitable' compensation, as is sanctioned by the South African Constitution.

On 23 May 2013, the Restitution of Land Rights Amendment Bill was published for public comment. The bill gives those who missed out on the last land claims bill in 1998 the opportunity to file for compensation. The bill applies to everyone who was dispossessed after June 1913 due to ethnic discrimination, provided they were not paid 'just or equitable' compensation. Contrary to the 2011 land reform green paper, the new bill includes an exception for the Khoi and San communities, who were dispossessed before the 1913 cut-off. The importance of this was emphasized by the rural development and land reform minister, Gugile Nkwinti, who stated that 'the Khoi and San people were the first lines of defending the land when the country was invaded by colonialists'. He also claimed that their exclusion from the land claim process had not been deliberate, but 'systemic'. The National Assembly passed the bill in February 2014.

With regard to hate speech, South Africa witnessed both positive and negative developments in 2013. In September the South African government announced plans to introduce a draft policy framework on combating hate crimes and hate speech, following concerns about a rise in hate crimes in South Africa. Up to this point, South African law did not provide specifically for hate crime

offences. This is partly due to an approach of treating crimes simply as criminal offences, regardless of the intentions behind them. During discussions around the draft policy framework, the Hate Crimes Working Group, along with other civil society organizations, noted that it had identified 450 hate crimes in five provinces since 2005, including 150 incidents against foreign nationals.

White South Africans, particularly farmers, have stated that violent attacks against them are motivated by ethnicity. Following the erosion of their privilege, white South Africans from the Afrikaaner community feel vulnerable, both as whites and as a linguistic group. Indeed, there has been an increase in poverty among some white South Africans, including Afrikaaners, which is visible for example in the emergence of white slums. However, this change is obscured by the fact that – on average – white South African households still benefit from an annual income six times higher than that of black households in the country.

Sexual violence in general is an issue that affects many women in South Africa. This includes the practice of *'thwala'* bride abductions, a deliberate misinterpretation of tribal customs in which Zulu women in remote areas are abducted, raped and forced into marriages in exchange for cattle given to their families. Often authorities dismiss complaints as they consider it a cultural practice or a domestic issue. In April 2013, Zulu King Goodwill Zwelithini openly spoke out against violence against women in the KwaZulu-Natal province and urged other traditional leaders to do the same and encourage cooperation with the police.

## Zimbabwe

Political reform in Zimbabwe has been slow and insufficient, despite a new draft constitution and the implementation of the Global Political Agreement, which was signed in 2008. One positive step in 2013, however, was the amendment to the Zimbabwean Constitution recognizing 16 different languages as official languages. The Constitution also requires the state to promote and advance the use of all Zimbabwean languages. Commentators have applauded the development, but warn

that legal change alone is insufficient without effective implementation. However, Minister for Education, Sport, Arts and Culture David Coltart stated that his department had already initiated a programme launching textbooks in various marginalized indigenous languages at primary school level.

Minister Coltart also consulted with various San community leaders on San education. The community leaders told Coltart that they wanted the Tshwao language to be included in the school curriculum among other minority languages. They equally called on the government to assist them in sending their children to school. This stands in stark contrast to claims made by President Robert Mugabe that San were resisting efforts to school their children. Mugabe talked of the need to 'acculturate' the San, rather than finding solutions that accommodate both San traditions and education.

Education is not the only challenge San are facing. Some San communities are struggling with food insecurity as laws banning hunting forced them to trade in their lives as hunter-gatherers for subsistence farming. However, most of them neither possess cattle or tools nor have the training to farm successfully, as they have been excluded from the government's 2009 farm mechanization programme. Some San elders have asked for readmission to the Hwange National Park to return to a life as hunter-gatherers, as the government seems to be unable or unwilling to aid San communities to become self-sufficient.

There are also issues of police harassment and wrongful accusations of entire villages. For example, in 2013 San communities living next to Hwange National Park were held responsible for the killing of elephants through cyanide poisoning in the park. Whereas it is not impossible that economic desperation drove some members of the San community to aid poachers, the government has failed to produce evidence against individual suspects and instead targeted the entire San community with blanket accusations.

San also lack political representation, despite attempts by San elders and local human rights activists to support their own councillors, MPs and chiefs to represent them. There is a tendency among government officials to blame those who

came before them for the San's situation – or, alternatively, to blame San themselves. There is little sign that the Zimbabwean government is taking any meaningful steps to improve the situation of San communities. Instead, there have been allegations that the ruling Zanu-PF party is trying to intimidate San representatives.

The Ndebele minority continues to be marginalized with regard to political representation. The government has been accused of neglecting Matabeleland, a Ndebele-dominated region that is one of the most underdeveloped areas in the country. Companies have also reportedly been bringing in Shona workers from outside Matabeleland to work in the region, even though there are sufficient numbers of skilled workers already there. In April, a number of youths were arrested for demonstrating against the 'tribal employment tendencies' of employers who bussed in labourers from outside the region to work on a local labour project. The Co-Minister in the Organ for National Healing and Reconciliation denounced their arrest and confirmed that local employment opportunities were being given to others for politically motivated reasons based on tribal affiliation.

Reflecting the ongoing marginalization of Ndebele, there were a number of incidents of discrimination and violence against them during 2013. In February, three police officers in Bulawayo East allegedly verbally abused an employee of a sports bar for playing Ndebele music and subsequently tried to close the investigation into the matter. Furthermore, in September a man was struck on the head with a brick in a bar fight for speaking Ndebele – he later died in the hospital.

Members of the Zanu-PF party also engaged in hate speech against white Zimbabweans through public speeches and government-controlled newspapers, radio and television stations, scapegoating them for the country's problems. Following the forcible seizure of their lands, generally without compensation, some farmers had to accept settlements leaving them with 5 to 10 per cent of the value of their investments. As a result there is a significant number of elderly, impoverished former farmers.

# Central and West Africa

Paige Wilhite Jennings

Inter-religious violence was on the rise in the region in 2013. The ousting of President François Bozizé of the Central African Republic (CAR) by Muslim rebels from the marginalized north-east led to widespread violence between Christians and Muslims and warnings of possible genocide.

In Mali, the return home of Tuareg fighters, heavily armed by and integrated into Libyan leader Muammar Gaddafi's security forces before his ousting and death in 2011, coupled with the presence of foreign-armed extremist groups in Malian territory, fuelled the advance of rebel forces in early 2012. That advance in turn prompted a military coup and ultimately a French-led military intervention in January 2013. The ongoing conflict raised tensions in the rest of the Sahel, still recovering from the effects of severe drought and food shortages in 2012. Weak governance and regional differences contributed to increased violence in Nigeria, this time by the Islamist group Boko Haram.

In the face of conflict across the region, some countries took steps to promote tolerance between ethnic and religious groups. In others, however, provisions against incitement of hatred or violence were at times used to suppress dissent: these included Burundi, Chad, the Republic of Congo and Rwanda.

Another theme repeated across the region involved the challenges faced by marginalized nomadic pastoralist minorities forced to compete with settled farming communities for use of land, for instance in Burkina Faso, Cameroon, Chad, Mali and Niger. Concerns remained in a range of countries including Burundi, Cameroon, the CAR, the Democratic Republic of the Congo (DRC), the Republic of Congo and Rwanda about the situation of indigenous forest-dwelling groups.

.....  
**Case study** by Peter Grant  
.....

# Using radio as a tool for peace in Burundi

.....

Studio Ijambo was launched in 1995 by the organization Search for Common Ground (SFCG) in the wake of the genocide in Rwanda. Like its neighbour, Burundi was struggling with significant inter-ethnic violence of its own. The aim of the programme was to establish an alternative platform to promote dialogue and tolerance through the radio, in contrast to the hate speech and incitement spread by radio stations such as the notorious Mille Collines in Rwanda. Nearly 20 years on, the programme is still running – and it is now being used as a model for initiatives across the region.

Importantly, the programme provides an alternative platform for different stakeholders, such as civil society representatives, to meet and debate on key issues. ‘First,’ explains Floride Ahitungiye, Director of Programmes at SFCG in Burundi, ‘Studio Ijambo analyzes the context of the existing conflict between different groups – for example, political leaders, young people within the parties, residents and repatriates – then it plans its interventions, such as a debate or roundtable, identifying interested participants or experts in the field. The format Studio Ijambo chooses depends on the subject – it can be an interactive radio programme, a broadcast, a pamphlet, a soap opera, a sketch. These different formats encourage different participants in the media to engage and contribute to the reduction of violence and hate through positive discussion. Beyond this, they also aim to influence decision-makers at national and local level.’

The programme has produced a number of high-profile successes, including a debate

between different political leaders. ‘At the end of this programme, they committed to creating a reunification commission in order to prepare themselves for the 2015 elections. Right afterwards, the other parties asked for similar programmes to be produced and broadcast for them as well.’ Ahitungiye also highlights the positive transformation of the country’s news coverage, including the growth of programmes and broadcasts on justice and human rights. ‘In Burundi,’ she says, ‘the media landscape has changed thanks to these initiatives.’

Similar programmes have also been implemented by SFCG in neighbouring countries across the region, demonstrating that the principles of an open and inclusive media arena can also be effectively adapted elsewhere. SFCG’s partner programmes in the DRC have also used radio to promote constructive messages about the resolution of the conflict, using songs and other innovative methods. When ethnic tensions rose in the border town of Goma in July 2012, for example, resulting in a number of attacks against Rwandans in the area, SFCG quickly developed a series of ‘spot messages’ that promoted social harmony and cohesion.

Although she recognizes the potential problems that new technologies can create, particularly the internet, Ahitungiye is hopeful about the opportunities that will open up, allowing SFCG’s approach to be adapted for other media. ‘I’m optimistic. There are challenges linked to diversification of the media, both audiovisual and printed or online newspapers – it is important to remember the risk of politicization of the media. But the internet can also play an important role in the promotion of tolerance and inter-ethnic reconciliation. For example, people from Burundi living abroad can follow the radio broadcasts through websites such as Facebook and absorb the messages – this will help us move towards peace and reconciliation.’ ■

Despite pressure from the African Union (AU) Regional Task Force deployed against it, the Lord's Resistance Army (LRA) continued killing and abducting civilians in remote border areas of the CAR and the DRC. At the end of October 2013, the UN Office for the Coordination of Humanitarian Affairs (OCHA) reported that 353,000 people remained displaced in LRA-affected areas in the CAR, the DRC and South Sudan.

In developments elsewhere, police in Burundi reportedly killed at least nine members of a Christian group following a young woman known as 'Zebiya', by opening fire on a crowd of worshippers at a hillside in Businde, Gahombo commune in March. In Senegal in February, a special court was opened to bring former Chadian President Hissène Habré to justice on charges of crimes against humanity, war crimes and torture from 1982 to 1990. The NGO Human Rights Watch published a 714-page report documenting violations under Habré, including the systematic targeting of particular ethnic groups such as the Hadjarai and, later, the Zaghawa.

## Central African Republic

Past years have seen chronic instability in the CAR. Border regions faced spillover conflict from neighbouring countries including Chad, Sudan and the DRC, while in the north in particular, marginalized nomadic pastoralists, including Mbororo (known also as Fulbe, Peul, Fula or Fulani), clashed with local farmers over water and grazing rights for their livestock. In some areas their herds were frequently preyed upon by armed bandits. Nevertheless, historically the country's Christian and Muslim populations – comprising around 80 per cent and 15 per cent of the population respectively – have coexisted in peace, despite armed insurgencies in previous years that included Muslim pastoralists and other groups, driven by marginalization, insecurity and inequitable sharing of resources.

At the close of 2012, a coalition ('Séléka') of rebel groups launched a joint military offensive in the north against the forces of then President François Bozizé. Bozizé, a member of the country's largest ethnic group, the Gbaya, had reportedly relied increasingly on family and

ethnic ties to consolidate his influence since taking power in a military coup ten years earlier. For their part, the Séléka rebels came mainly from ethnic groups in the north of the country, unified loosely by their opposition to Bozizé and their Muslim faith. Some reportedly came from neighbouring Chad and Sudan.

The rebels advanced rapidly, and in January the government was forced to sign an accord with them. Brokered in Libreville under the auspices of the Economic Community of Central African States, it laid the groundwork for a ceasefire and a three-year power-sharing arrangement. However, it quickly broke down, and in March the rebel alliance took the capital Bangui and ousted Bozizé.

Analysts agree that the Séléka rebellion did not arise around issues of religion. However, as it advanced southwards Séléka looted and burned villages, committing murder and rape – abuses which were often reportedly motivated by religious and ethnic identity. Christians were particularly targeted, although in several instances members of traditionally forest-dwelling communities were also singled out for attack.

Bozizé's security forces reportedly committed violations of human rights and humanitarian law while trying to halt the rebel advance. As the situation deteriorated, both sides were reported to use increasingly hostile rhetoric. President Bozizé publicly claimed that the rebels were 'mercenary terrorists,' while a government spokesperson accused them of being backed by foreign Islamic extremists and seeking to 'make another Mali' in the CAR. The use of charged rhetoric helped to politicize the question of ethnicity and exacerbate rifts between groups. Some Muslim leaders in Bangui, for instance, criticized the authorities for giving citizens the erroneous impression that they were facing a 'war of religion'. At the same time, pro-government youths set up roadblocks in Bangui, and Séléka reportedly accused state officials of arming them and encouraging them to attack suspected rebel sympathizers.

After taking Bangui, Séléka leader Michel Djotodia, from the Gula tribe of Muslim pastoralists and a former head of the 2007 north-eastern insurgency, installed himself as interim President. He was later confirmed in the post by a transitional government. In the absence of



**Above:** A child collecting firewood walks along a flooded road in a Muslim district of Bangui, Central African Republic. *James Oatway/Panos.*

a civilian administration or functioning security forces to counter ongoing Séléka abuses, and in the face of Séléka's refusal to disarm and disband, law and order quickly broke down. Though its victims at times included Muslims, the UN Secretary-General and others noted that Séléka raids and attacks continued to particularly target non-Muslims. In the security vacuum, civilians turned to self-defence. Christian communities set up or activated existing 'anti-balaka' (anti-machete) groups to protect their areas from attack and to oust the now 'ex-Séléka', particularly its foreign fighters, seen as invaders. For their part, some Chadian and Sudanese ex-Séléka sought support among those who shared a common language with them – the CAR's Arabic-speaking Muslim minority. As with the Séléka during its advance, the prevailing climate of violence allowed existing prejudices against ethnic minorities to be acted out with impunity. In numerous instances and locations, anti-balaka militias targeted members of the

Muslim pastoralist minority, including Mbororo, for attack.

Hate speech urging revenge against Muslims, in online forums and in the media, gained prominence. In this volatile context, it became easier for members of both communities to regard the other group as collectively responsible for individual acts of violence. Anti-balaka militias began to target not just ex-Séléka combatants, but those believed to be aiding them – and then Muslims in general. In Ouham province, north of Bangui, on 6 September militia carried out coordinated attacks on ex-Séléka forces and Muslim communities around the provincial capital, Bossangoa. Human Rights Watch reported that they massacred several hundred people; survivors said that during the attack they used violently extremist rhetoric, including threats to wipe out all Muslims. In response, ex-Séléka launched its own revenge attacks on Christian communities. There were also reports of ex-Séléka groups distributing weapons to civilian Muslims. In early December, after the UN Security Council authorized a new deployment of French and African troops to use all appropriate measures to protect civilians,

house-to-house inter-communal violence in Bangui reportedly caused a large number of deaths, primarily of Christian men, in two days. Reports varied, with the UN citing a figure of over 600 dead and Amnesty International reporting between 800 and 1,200 killed. Widespread targeted sexual violence against women and children, torture and other abuses were also reported, with further atrocities in the countryside. By year's end, over 935,000 people had been internally displaced and an additional 75,000 had fled to neighbouring countries. According to UN sources around 2.2 million people, close to half the population, needed humanitarian assistance.

Local authorities and international troops were unable to impose law and order in the face of escalating violence, including continuing abuses by ex-Séléka and anti-balaka armed groups alongside, increasingly, inter-communal attacks involving civilians. Particularly following Djotodia's resignation on 10 January 2014 and the withdrawal of many ex-Séléka troops, the violence was increasingly directed against the country's Muslim minority.

In the context of the CAR's weak rule of law, localized acts of violence and hate speech have both rapidly escalated insecurity in the country, with some observers fearing a potential genocide. Recognizing the role that inflammatory rhetoric has played in fuelling the violence, the Forum of Religious Leaders and individual religious leaders have continuously countered it with calls for tolerance and peace. Similarly, in December UN Secretary-General Ban Ki-moon issued a peace message in French and the local language, Sango, on local television and radio. However, so far these efforts have been unable to alleviate the violence. Over time, initiatives like the International Commission of Inquiry, mandated to investigate abuses by all parties, can provide victims with a peaceful way of seeking justice. However, this can only happen if the state, with international help, can ensure the security of minority members and protect them from further attacks.

## **Democratic Republic of the Congo**

In the DRC, over three decades of neglect and abuse under former dictator Mobutu Sese Seko

left a weak state geared towards predation and extraction of profit from the nation's prodigious natural wealth rather than care of its citizens. With up to 250 ethnic groups and a tradition of clientelism, political manipulation of ethnicity to maintain the balance of power was a common, if complex, phenomenon. Recent history has been shaped largely by events in the Great Lakes: after the Rwandan genocide in 1994, Hutu extremist perpetrators were among hundreds of thousands of Hutu refugees who fled to eastern DRC to escape the advance of the Uganda-based Tutsi force which assumed power in Rwanda.

Hutu extremists carried on attacking Tutsis in the region from bases in the DRC, and in 1997 Rwanda invaded the DRC to dislodge them. Other neighbouring countries joined the conflict, driven in part by the prospect of profit from the region's mineral resources. What followed was 'Africa's World War', lasting over a decade and ultimately involving nine African nations.

In recent years the DRC has seen ongoing conflict between armed groups, some of them local and some formed with the backing of other countries, despite the presence from 2000 of a succession of UN peacekeeping missions. At the end of 2013, nearly 500,000 DRC citizens remained refugees, while an estimated 2.7 million were internally displaced.

A significant number of the latter had been displaced repeatedly and often for protracted periods due to cyclic violence, including ethnic violence, in the region over nearly two decades. In areas such as Masisi, North Kivu, these struggles have at times pitted Banyarwanda people of Rwandan ancestry (both Hutu and Tutsi), perceived as 'foreign' by some, against militias from groups claiming a longer history in the local area. One such militia is the primarily Hunde Alliance of Patriots for a Free and Sovereign Congo (APCLS), which in February and March reportedly forced at least 3,000 people to flee their homes in Kitchanga town by attacking members of the Banyarwanda community there.

In eastern DRC grave abuses of human rights and humanitarian law – including ethnically motivated attacks on civilians – have continued. Those responsible included the largely ethnic



Tutsi Mouvement du 23 mars (M23) rebel group. DRC security forces deployed against it; and smaller armed groups took advantage of the vacuum left by the army's focus on the M23 to seize control of resource-rich areas.

M23 emerged in April 2012 with the mutiny within DRC army ranks of a group of mainly ethnic Tutsis. Fighting between the M23 mutineers and the army was particularly fierce, and both sides were accused of abuses against the civilian population. After factional fighting within the group, M23 leader Bosco Ntaganda surrendered to International Criminal Court custody in March. Proceedings against him, for crimes against humanity and war crimes in 2002–3 while leader of another armed group, were set to begin in 2014.

The M23 continued fighting under different leaders. The UN Stabilization Mission in the DRC (MONUSCO) deployed a 3,000-strong African-led Intervention Brigade against it around the city of Goma in August; NGOs and others expressed concern at the potential human rights and humanitarian ramifications of heightened UN military involvement. UN and DRC army forces made successive gains and, in early November, the M23 admitted defeat. A peace deal was signed in December.

M23 had been reported, including by the UN, to have received financial and other support from Rwanda; some sources indicated that international pressure on the Rwandan government and the subsequent withdrawal of this support was a key factor in its defeat. However, a UN Independent Expert's report at year's end was said to indicate that some M23 elements may have resumed recruitment and other activities in Rwanda and Uganda. In December, DRC troops reportedly killed dozens of armed youths who attacked official buildings in Kinshasa, reportedly out of anger at what they claimed were President Kabila's overly close ties to Rwanda.

More than 40 armed groups operate in eastern DRC, including the predominantly Hutu Forces Démocratiques de Libération du Rwanda (FDLR), the leaders and members of which include some perpetrators of the 1994 genocide of Tutsis in Rwanda. The FDLR has continued to be accused of ethnically oriented violence and other abuses; in October authorities and UN

representatives suggested that it, and the group Allied Democratic Forces (ADF), would be the army's new focus.

Like the FDLR and the APCLS, many of the armed groups in eastern DRC are allied with specific ethnic groups, giving an inter-ethnic dimension to their conflict with the DRC army and with each other. They have reportedly committed serious abuses of human rights and violations of international humanitarian law; and are reported to target people whom they suspect, due to their ethnicity, of supporting their opponents.

For instance, in resource-rich areas of South Kivu and Katanga provinces, the army clashed with groups including Raia Mutomboki, displacing tens of thousands. Raia Mutomboki ('angry citizens' in Swahili), nominally formed to protect locals from the FDLR, has been accused of avoiding confrontation with FDLR combatants, instead targeting their dependents and other ethnic Hutu civilians.

Sexual violence has been an egregious feature of the DRC conflict. In spite of increasing domestic and international scrutiny it is still widespread, and to date very few alleged perpetrators have been brought to justice. In its 2013 review of the DRC the UN Committee on the Elimination of Discrimination against Women raised particular concerns about the situation of indigenous women, particularly Batwa, around gender-based violence, land rights, access to public services and involvement in decision-making.

In December, the UN reported that a number of armed groups in North and South Kivu had expressed willingness to negotiate a peace. Also in December the government adopted an emergency programme for North Kivu, including humanitarian support, justice and intercommunal reconciliation.

# West Africa

## Cameroon

Cameroon was formed in 1961 from two former



**Above:** Mbororo man in Cameroon.  
*Peter Hessel.*

colonies, one British and one French; since independence it has had two presidents. The current one, Paul Biya, took office in 1982, introducing multi-party politics several years later. It is religiously and ethnically diverse: minority and indigenous groups include forest-dwellers, such as Ba'Aka in the south, and nomadic pastoralist Mbororo in the north. In 2013 Cameroon saw a number of cross-border incidents from Boko Haram in Nigeria and Séléka in the CAR. At year's end there were more than 100,000 refugees and asylum seekers in the country, primarily from the CAR, Nigeria and Chad.

Forest-dwelling groups and nomadic Mbororo pastoralists faced continued difficulties, particularly over issues around rights to land and resources. Ba'Aka and other indigenous groups were among the communities threatened by the expansion of logging, agro-industry, mining and natural protected areas into their customary lands. In January a group of NGOs petitioned

the UN Committee on the Elimination of Racial Discrimination to review Cameroon's proposed reforms to its Forest Code, which they claimed failed to protect the land rights of indigenous groups in particular. In an effort to make their voices heard more effectively in discussions about logging, conservation and related issues, some Ba'Aka continued efforts such as participatory mapping of forest resource use.

Nomadic pastoralist Mbororo communities in the north-west continued to face problems with access to land for their herds, particularly in the face of expansions to cattle ranching, agro-industry and protected nature reserves. They continued to accuse land-owners of seizing traditional grazing lands and other abuses. As part of a larger land reform, consultations opened with civil society groups around the text of a draft Pastoral Code developed with support from

the UN Food and Agriculture Organization (FAO). The code would reportedly recognize Mbororos' right to lands they have been using and ease procedures for obtaining titles. It would include provisions for community pastures, demarcated corridors for herders to move their stock, designated watering sites and mechanisms for resolving disputes.

Ahead of legislative elections in April, Mbororo and traditional forest-dwelling groups as well as members of the Montagnard minorities (also known as *kirdi*, a derogatory term that has been adopted as a marker of ethnic and religious pride) from the northern highlands reportedly criticized political parties for not honouring previous commitments to field minority candidates. They urged the President, who has the right to appoint some legislators, to name minority representatives. The UN Independent Expert on minority issues visited Cameroon in August. While recognizing the government's efforts to protect minority rights, she emphasized that important steps are still required on behalf of both forest-dwellers and Mbororo pastoralists, particularly around issues of poverty and land rights.

Following on from the UN Human Rights Council's Universal Periodic Review of Cameroon, in June the UN High Commissioner for Human Rights conducted her first visit to the country to investigate issues including violence against women, harmful traditional practices and the vulnerability of indigenous peoples in the face of large-scale agro-business.

## Côte d'Ivoire

Côte d'Ivoire has over 60 ethnic groups, with complex linguistic and cultural interrelationships. The north of the country, largely Muslim, has seen several uprisings in protest at perceived marginalization by largely southern governments, while since the mid-1990s, the term 'Ivoirité' has been used in some political discourse to denote 'genuine' belonging to Côte d'Ivoire and to cast doubt upon the nationality of many northerners. Presidential elections in 2010, the first in a decade, saw the use of xenophobic campaign language by supporters of President Laurent Gbagbo, a southerner, against those of his northern opponent Alassane Ouattara.

This language played on the perception among some of the public of northerners as 'foreigners' descended from economic migrants drawn by the country's wealth. Despite this, Ouattara won the 2010 elections, though Gbagbo's refusal to accept the results led to armed conflict before Ouattara was able to become President.

In 2013, tensions between supporters of Ouattara and those of former President Gbagbo continued, with some ongoing incidents of violence motivated apparently by identity and, by extension, perceived party affiliation. Although both sides committed serious human rights abuses during the post-electoral conflict of 2010–11, justice has been applied unequally: at year's end all of those brought to justice for crimes committed during this period were Gbagbo supporters. For his part, Laurent Gbagbo is being held by the International Criminal Court (ICC) on four counts of crimes against humanity, including murder and sexual violence. His wife Simone and a militia leader, Charles Blé Goudé, also face ICC charges.

To date the ICC has pursued a 'sequential' approach, investigating the Gbagbo side first before beginning on Ouattara's: this has provoked criticism that it is perpetuating the perception of one-sided justice and tacitly enabling the Ouattara government to prosecute only its political opponents. This disparity, the entrenchment of ethnocentric politics and ongoing abuses and attacks formed serious obstacles to reconciliation.

Another obstacle is land. Throughout Côte d'Ivoire, and particularly in the west, land is increasingly scarce, in part due to population increases. Political manipulation of the divisions mentioned above between those who are 'native' to the region and those who are not have linked competition for resources with questions of identity. Conflict over land, like politics, is being drawn along cultural and religious lines.

The west saw high levels of displacement during the 2010–11 conflict. Some returnees to the area, in large part Gbagbo supporters of Guéré ethnicity, claimed that their land had been occupied by non-locals, who typically supported Ouattara; in many cases, the latter maintain that they acquired the land legitimately. Tensions around land have led some residents to occupy

.....  
**Case study**  
.....

# Taking steps to promote peace and reconciliation in West Africa

.....

Though much of this chapter makes grim reading, there are concrete grounds for hope in the region. In Sierra Leone, where around 60 per cent of the population is believed to be Muslim and another 20 to 30 per cent Christian, ethnicity played a role in over a decade of war. Religion, however, reportedly did not. Sierra Leone, according to the UN Special Rapporteur on freedom of religion or belief, boasts a truly enviable climate of tolerance of religious diversity. In a region where strife between Christians and Muslims is common in country after country, the Special Rapporteur found an unusual level of cooperation, fostered in schools, through the media and by the country's Inter-religious Council, a nation-wide NGO. The Council has played an important role in responding, alongside public officials, to two recent cases of conflict between people of different religions.

While Burkina Faso, with more than 60 ethnic groups and four major religions, is notably tolerant, as highlighted by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism following a 2013 country visit, its civil society and authorities are sensitive to potential spillover of conflict from neighbours such as Côte d'Ivoire and Mali. Burkina Faso has not seen internal armed conflict or acts of terrorism due in large part, according to analysts, to its long history of interfaith and inter-ethnic tolerance; however, it is not relying solely on tradition to maintain peace.

In April 2011 the government adopted a national strategy, developed by the human rights ministry, for promoting a culture of peace among different groups. It has also taken steps to address

tensions between herders and farmers over land usage that cause strife across the region. In January 2012 the human rights ministry published a *Handbook for Preventing and Managing Farmer–Herder Conflicts*, followed by joint workshops for farmers and herders in the country's 13 regions focusing on land regulation, protection of nomadic paths and sustainable use of natural resources. Community leaders and local and regional officials also take part in the workshops, which aim to reduce conflict by increasing understanding of rules protecting both farmers and herders. It is hoped that taking steps like jointly agreeing the boundaries of corridors for moving livestock will also help to prevent clashes.

Niger, sharing borders with both Mali and Nigeria, has like Burkina Faso guarded rigorously against any spillover of conflict. While it has some similarities with Mali, there are important differences. Although Niger's Tuareg have suffered marginalization in the past, many of them live interspersed alongside other ethnicities throughout the country and have a long history of coexistence with these other groups. Though Niger does have a history of armed Tuareg rebellion, violent separatism has not taken hold to the extent seen in Mali.

In Mali, the state response to Tuareg unrest was security-oriented. In Niger, however, the authorities have reportedly taken some steps to address Tuareg claims of exclusion. Niger currently has a northern Tuareg Prime Minister. Decentralization has given Tuareg access to positions in local administrations. Finally, though there is still a long way to go before their grievances are fully addressed, the peace process with former Tuareg rebels in Niger has placed more of an emphasis on socio-economic reintegration, poverty reduction and inclusion.

Cooperation between the state and former Tuareg rebels in areas of mutual benefit, for example joint efforts in demining, has also helped to improve relations, though some issues remain. These examples demonstrate how some national governments and communities are countering threats to peace. Though their efforts rarely make headlines in the way that inter-ethnic and inter-religious conflicts do, they offer a blueprint for positive steps towards an end to communal strife across the region. ■

protected government forests, contributing to deforestation; security forces forcibly expelled some occupiers in 2013.

In 2013 concern continued about reports of serious human rights violations, including sexual and gender-based violence, attributed to security forces, as well as abuses by other armed groups. In the west, traditional hunters known as *dozos*, allied with Ouattara's administration, were also accused of numerous human rights violations, often against perceived government opponents, in the course of security duties in 2013.

However, there were some positive steps taken to address the widespread climate of impunity for human rights abuses. In April, 33 soldiers were tried by a military court for violations against civilians committed after the post-electoral crisis period. Two soldiers received prison sentences. In July 2012 soldiers, pro-Ouattara militias and civilians attacked a camp of internally displaced people at Nahibly, leaving at least 11 dead and forcing thousands more to flee. The camp's residents were largely ethnic Guéré, who had been forced to flee their homes by Ouattara supporters during the post-electoral crisis. A judicial investigation into the massacre continued in 2013.

Another positive development was a reported decrease in the overall use of hate speech in the national media, according to the UN country office. In August the government also reformed parts of the nationality law, as well as the law on land tenure, both issues that have been central to the country's protracted violence and political instability. While positive, however, these measures will need to be supported by strong political commitment from the government if the underlying causes of inter-ethnic grievances are to be addressed. In late November the UN High Commissioner for Refugees (UNHCR) reported over 16,000 voluntary refugee returns to western Côte d'Ivoire from Liberia, though another 58,000 remain in Liberia.

## Guinea

Following independence from France in 1958, Guinea was ruled by successive dictatorships. Its first leader was from the Malinké ethnic group, comprising 30 per cent of the population; no one from the largest ethnic group, the Peuhl



(40 per cent of the population) has ever led the country. In 2010, Guineans had their first real opportunity to choose their leader: in that contest Alpha Condé, a Malinké, narrowly defeated his main opponent, a Peuhl, leading to intercommunal violence.

Elections to choose the first National Assembly in five years, thereby completing the transition to civilian rule begun with presidential polls in 2010, were announced for May 2013. This led to increased tensions between the government of President Condé and the opposition, which accuses the former of illegitimacy and discrimination against its own ethnic Peuhl base.

Intermarriage between ethnic groups in Guinea is common, and many Guineans have mixed ancestry. Ethnic divisions, which have sharpened in recent years, appear to be rooted in competition for public resources and have been further exacerbated by political elections. A protest march over the electoral process led to clashes between Peuhl and Malinké in the capital Conakry in February and March. At least five people were killed in incidents that at times involved security forces.

Religious and other leaders called for calm.



**Above:** Tuareg men walk past some shops in Mali. *Petterik Wiggers/Panos.*

The political parties signed a joint declaration of non-violence in April, committing to peaceful means for resolving disputes. However, after more demonstrations in May, some of which led to ethnic violence in which at least a dozen people were killed and scores injured, including by security forces, the polls were postponed. Amid ongoing tensions, in July the UN Human Rights Council passed a resolution calling for peace and condemning all incitement to ethnic or racial hatred. Elections went off peacefully in September; however delays in issuing results led to accusations from the opposition of potential fraud.

In other developments, in July, violent intercommunal clashes between members of the Guerze and Konianke minority ethnic groups in N’Nzérékoré and Beyla districts reportedly killed over 50 people, with over 150 more injured. The clashes were believed to have begun after a dispute in which two Guerze killed a Konianke they accused of theft. Mosques and churches were attacked during three days of violence.

Finally, several serving government ministers were indicted on charges of murder, rape and other crimes in the context of the 2009 stadium massacre in Conakry. Human rights activists

welcomed the charges as an important step for justice and an end to impunity in the country, but expressed concerns that the accused remained in their high-level posts. The indictments centre around an incident that took place following the death in 2008 of dictator Lansana Conté, a member of the Soussou minority. A group of primarily Malinké army officers took power by military coup, promising elections but then announcing their leader’s intention to run. In September 2009, a peaceful opposition protest in Conakry stadium was brutally dispersed by security forces and militia. In several days of violence, at least 150 people were killed and scores of women raped. The majority of victims were reported to be Peuhl.

## Mali

Mali is 90 per cent Muslim; its two largest minority groups are the Peuhl (also known as Fula or Fulani), amounting to 14 per cent of the population; and Tuareg and Maure, who make up another 10 per cent. Some members

of the Tuareg population in particular have been engaged in low-level conflict with the government for decades in the pursuit of a separate Tuareg state, Azawad. These demands have been reinforced by political marginalization and poverty in the north, resulting in rebellions in the 1990s and mid-2000s.

With the fall of Muammar Gaddafi in Libya in 2011, armed Malian Tuareg among his fighters returned home, giving new impetus to the separatist movement, which launched an offensive in early 2012. The Tuareg were joined by largely foreign Islamist extremist groups. The latter increasingly dominated as the offensive advanced south, eventually covering two-thirds of Mali's territory.

These groups had been accused of serious abuses including unlawful killings, the recruitment of children and sexual violence. Militants had imposed *Sharia* law, with public floggings, amputations and executions in areas under their control. Malian security forces had also been accused of violations of human rights and humanitarian law, including arbitrary detention, ill-treatment, torture, extrajudicial executions and enforced disappearances.

In January 2013, Mali's interim President requested that France intervene. The French-led counter-offensive was reported as broadly successful in dislodging the jihadist groups and over the next few months took back contested areas and re-imposed state control. However, in a disturbing trend, Tuareg and Arabs, perceived due to their ethnicity as having been likely supporters of the rebels, were at times targeted with violence by both security forces and pro-government self-defence militias, leading many of them to flee their homes. The violence exacerbated divisions between ethnic groups caused in part by competition for control of limited resources: for example, nomadic herder groups found themselves cut off from traditional migratory grazing routes as their movements were restricted by fear of attack from the army or self-defence militias.

In March the UN reported that inflammatory messages in the media had helped to stigmatize Peuhl, Tuareg and Arab ethnic groups, creating a climate for targeted attacks against them. A Dialogue and Reconciliation Commission was

created to help restore peace and security, and the authorities used national radio to broadcast messages of reconciliation. The government was encouraged to consider creating a monitoring mechanism to detect the incitement of hate and violence in the media, and to punish those responsible. A Minister for National Reconciliation and the Development of the Northern Regions was also appointed. For their part, Tuareg separatists were at times accused of expelling other ethnic groups from areas under their control, apparently due to their perceived support for the government.

In June, the government and Tuareg groups signed the Ouagadougou Agreement, providing for confinement of combatants to designated areas as part of the peace process and their relinquishing of power to Malian state forces. However, it was not implemented in areas such as Kidal, where both Tuareg separatists and the security forces were accused of violations as they battled for control. Peaceful presidential elections commenced in July, and President Ibrahim Boubacar Keita was installed in September 2013. Legislative elections were held in November, in spite of minor protests in parts of the north. At year's end some violence, including sporadic suicide and other attacks by militant groups and fighting in Kidal between Tuareg separatists and security forces, continued. According to UNHCR, there were nearly 183,000 Malian refugees in neighbouring countries and over 353,000 internally displaced in mid-2013. Most were believed to be Tuareg or Arabs, afraid to return due to the risk of ethnicity-based reprisal attacks by the army or militias, although numbers fell during the course of the year as some returned.

## Nigeria

The year 2013 saw a continued disparity between conditions in the south and the relatively less developed north, where conflict between Christian and Muslim communities over issues such as land, local administration and religion has since 2009 been deepened by violence from the armed Islamist group Boko Haram. According to analysts, its attacks are motivated by local political and economic matters as well as by religion. Boko Haram reportedly issued video messages in which it used ethnic conflict in other parts of northern Nigeria, such as

conflict between settled farmers and nomadic ethnic Fulani herders, in Plateau State, to justify its activities. Boko Haram suicide targets included security force installations; numerous churches were bombed or attacked by gunmen. In past years, the group had targeted schools, but according to reports only when they were unoccupied. From early 2013, however, that tactic changed. In another internet video posting, a Boko Haram leader reportedly claimed the shift was in retaliation for security force targeting of Islamist schools in its crackdown on perceived militants. In one incident in September, at least 40 students at an agricultural college in Yobe state were killed by gunmen. Amnesty International reported in October that at least 70 teachers as well as numerous students had been killed, and many more injured, in targeted attacks in 2013; Boko Haram reportedly claimed responsibility for many of these. Boko Haram has also been accused of widespread abductions of women and children, as well as sexual abuse of women and girls and use of children in hostilities.

In May the authorities declared a state of emergency in the north-eastern states of Borno, Yobe and Adamawa. A military offensive, which included airstrikes by Nigerian planes targeting alleged Boko Haram camps, caused thousands to flee their homes. Many youth joined militias with the aim of dislodging Boko Haram from their neighbourhoods in Maiduguri, the capital of Borno state, or preventing Boko Haram militants displaced by the military offensive from returning to them. Militias reportedly joined members of the military-police Joint Task Force (JTF) at checkpoints in different areas of Borno state to assist in identifying potential Boko Haram militants. The activities of this 'civilian JTF' militia reportedly led in turn to Boko Haram retaliations against militias' communities.

Nigerian security forces were accused of widespread violations, including during security sweeps of nearby communities following Boko Haram attacks. In some instances survivors reported that soldiers accused villagers of collaborating with Boko Haram militants, before killing them and burning their houses.

In April, security forces clashed with Boko Haram near the town of Baga in Borno state, then carried out a house-to-house raid on the

town. Satellite images analysed by Human Rights Watch revealed massive destruction. According to reports, between 180 and 200 residents were killed.

Amnesty International reported that during the first six months of 2013, at least 950 people died in JTF detention, while others were 'disappeared'. In August the ICC prosecutor indicated that there was reason to believe that Boko Haram had committed crimes against humanity in northern Nigeria since July 2009; the persistence of violations by security forces during its counter-offensive against Boko Haram, as described above, has led some analysts to call for their inclusion in the ICC probe. In November the authorities extended the state of emergency for another six months. ■



# Minority Rights Group International

Minority Rights Group International (MRG) is a non-governmental organization (NGO) working to secure the rights of ethnic, religious and linguistic minorities and indigenous peoples worldwide, and to promote cooperation and understanding between communities.

Our activities are focused on international advocacy, training, publishing and outreach. We are guided by the needs expressed by our worldwide partner network of organizations which represent minority and indigenous peoples.

MRG works with over 150 organizations in nearly 50 countries. Our governing Council, which meets twice a year, has members from nine different countries. MRG has consultative status with the United Nations Economic and Social Council (ECOSOC), observer status with the African Commission on Human and People's Rights, and is registered with the Organization of American States.

MRG is registered as a charity and a company limited by guarantee under English law. Registered charity no. 282305, limited company no. 1544957.

## **Discover us online:**

### *MRG website*

Visit our website for news, publications and more information about MRG's work:  
[www.minorityrights.org](http://www.minorityrights.org)

### *Minority Voices Newsroom*

An online news portal that allows minority and indigenous communities to upload multimedia content and share their stories:  
[www.minorityvoices.org](http://www.minorityvoices.org)

### *Peoples under Threat*

MRG's annual ranking showing countries most at risk of mass killing is now available as an online map:  
[www.peoplesunderthreat.org](http://www.peoplesunderthreat.org)

### *World Directory of Minorities and Indigenous Peoples*

The internet's leading information resource on minorities around the globe:  
[www.minorityrights.org/Directory](http://www.minorityrights.org/Directory)

# State of the World's Minorities and Indigenous Peoples 2014

## Events of 2013

Across the world, minorities and indigenous peoples are disproportionately exposed to hatred. From intimidation and verbal abuse to targeted violence and mass killing, this hatred often reflects and reinforces existing patterns of exclusion. The impacts also extend beyond the immediate effects on individual victims to affect entire communities – in the process further marginalizing them from basic services, participation and other rights. This year's edition of *State of the World's Minorities and Indigenous Peoples* highlights how hate speech and hate crime, though frequently unreported or unacknowledged, continue to impact on every aspect of their lives. The volume also documents many of the initiatives being taken to promote positive change and the different ways that governments, civil society and communities can strengthen protections for minorities and indigenous peoples.

